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COMMITTEE MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD
SUSTAINABILITY AND MARKET DEVELOPMENT COMMITTEE

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
COASTAL HEARING ROOM
SACRAMENTO, CALIFORNIA

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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

COMMITTEE MEMBERS

Ms. Rosario Marin, Chair

Ms. Cheryl Peace

Mr. Carl Washington

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Marie Carter, Chief Counsel

Ms. Jeannine Bakulich, Executive Assistant

Mr. Elliot Block, Staff Counsel

Ms. Rebecca Brown, Staff

Ms. Terri Edwards, Staff

Ms. Tara Gauthier, Staff

Mr. Jim La Tanner, Supervisor, Loan Program

Ms. Natalie Lee, Staff

Ms. Cara Morgan, Branch Manager, Office of Local Assistance

Mr. Bill Orr, Branch Manager, Recycling Technologies

Mr. Trevor O'Shaughnessy, Supervisor, State Agency Assistance Section

Ms. Terri Persons, Staff

Mr. Kyle Pogue, Staff

Mr. Pat Schiavo, Deputy Director

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APPEARANCES CONTINUED

STAFF

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Mr. Steve Sorelle, Supervisor, Office of Local Assistance,
North Section

Mr. Steve Uselton, Supervisor, Los Angeles Assistance
Section

Ms. Sarah Weimer, Staff

Ms. Patty Wohl, Deputy Director

ALSO PRESENT

Ms. Susan Collins, Hilton Farnkopf & Hobson, City of
Lawndale

Mr. Dan deGrassi, Santa Cruz Unincorporated

Ms. Barbara Dellinger, Senior Admin Analyst, City Of
Rialto

Mr. Evan Edgar, California Refuse Removal Council

Mr. Jim Greco, Mammoth Lakes

Mr. Travis Lange, Environmental Services Manager, City of
Santa Clarita

Mr. Steve Langford, Mariposa County

Ms. Michelle Leonard, SCS Engineers, City of San Gabriel

Mr. Steve Mercer, Mammoth Lakes

Ms. Donna Plummer, Senior Analyst, City of Palmdale,
Recycling, and Solid Waste Coordinator

Ms. Roxanne Robinson, City of Montclair

Mr. William Skinner, Interim Solid Waste Division Manager,
City of Fresno

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APPEARANCES CONTINUED

ALSO PRESENT

Mr. Scott Smithline, Californians Against Waste

Mr. Ken Westrick, TerraMai

Mr. Mark White, Pacific Waste Consulting Group

Mr. Michael Wonsidler, County of San Diego

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1 PROCEEDINGS

2 CHAIRPERSON MARIN: Good morning. Welcome, and
3 thank you for being here today. This is the Market
4 Development and Sustainability Committee of the Integrated
5 Waste Management Board. Thank you all for being here.

6 I have to welcome a wonderful lady who has now
7 joined my staff and is going to be with me for the rest of
8 my life now. Jeannine, thank you so very much for taking
9 over. And everybody tells me I'm in great hands, and I
10 know I am. So welcome.

11 And welcome, Sue. I guess this will be your
12 official first day. So we're all rookies. What can we
13 say. Thank you very much.

14 Any ex partes, Ms. Peace?

15 COMMITTEE MEMBER PEACE: No. I'm up to date.

16 CHAIRPERSON MARIN: And for the record, I had a
17 meeting yesterday with Mr. Kenneth Stoddard. And -- I
18 will let you know -- from Waste Management -- as soon as I
19 find his card. Barry Caldwell, so for the record.

20 And, Jeannine, I don't know that you knew I had a
21 meeting with him yesterday.

22 EXECUTIVE ASSISTANT BAKULICH: I sort of did.

23 CHAIRPERSON MARIN: She knew, great.

24 Mr. Washington, I'm sure, will be joining us any
25 time soon.

1 With that, Patty -- everybody knows there are
2 agendas in the back of the room. And while we know you're
3 very important, we want you to silence your phones. We
4 don't need to know how important you are. Silence your
5 phones, put them on vibration.

6 DEPUTY DIRECTOR WOHL: Do you want to go through
7 ex partes?

8 CHAIRPERSON MARIN: We already did.

9 Actually, you know, let me do something special.
10 We're going to start the meeting with something truly,
11 truly special.

12 You know, State service, believe it or not, has
13 some of the best and the brightest, most committed
14 individuals that get up every day to do what is right and
15 do their very best. And it's often amazing when you
16 realize that someone has been on the job for a long, long
17 time. It always is humbling to me to recognize
18 individuals who have been in State service for a very
19 extraordinary amount of time. And we have someone who is
20 retiring from State service. And I'm going to read a
21 Resolution, because it's the least this Board can do is
22 recognize the dedication and commitment of this individual
23 who will be leaving us for greener pastures, and hopefully
24 at the golf course.

25 Let me, if I may, read this commendation.

1 "Whereas, proper resource management is essential
2 for the State's continuing economic health, environmental
3 stability, and public safety.

4 "And, whereas, the Integrated Waste Management
5 Act of 1989 required local agencies to develop and
6 implement programs to divert usable resources away from
7 landfills and encourage the formation of regional waste
8 management programs.

9 "And, whereas, Susan Sakakihara began her career
10 in State service on February 28th, 1968, at the Department
11 of Finance. She then worked at the Lottery, the Division
12 of Recycling, and then came to the Integrated Waste
13 Management Board on April 1, 2000" --

14 That was April Fools' Day.

15 "-- retiring on June 30th, 2005, for a total of
16 37 years, three months, and two days.

17 "And, whereas, Susan's contribution in no small
18 way ensured that local jurisdictions understood and
19 ultimately met the initial goal of reducing waste by 25
20 percent in 1995 and laid the foundation for reaching and
21 maintaining the 50 percent diversion goal.

22 "And, whereas, Susan was instrumental in
23 improving the working relationship among Board staff,
24 local government, the solid waste industry, and the
25 environmental community by bridging conflicting viewpoints

1 to achieve positive and common sense outcomes.

2 "And, whereas, Susan has worked tirelessly and
3 always with a smile on her face in reviewing over 60 base
4 year studies and has verified a variety of diversion
5 activities, from wine pumice to See's Candies reuse.
6 Susan has also been key in leading the team effort to
7 develop online tools and guidelines for jurisdictions and
8 consultants.

9 "And, whereas, she'll travel the seas; we'll
10 travel the MRFs and the cities' recycling facilities.
11 Whereas, she'll enjoy gardening, and we'll work hard to
12 expand food waste diversion and composting. Whereas,
13 she'll photograph exotic lands, and we'll photograph
14 pallets and bread dough.

15 "Now, therefore be it resolved, that the Members
16 of the California Integrated Waste Management Board
17 commend Susan for her outstanding work, her dedication to
18 developing California Integrated Waste Management's
19 system, her commitment, and dedication to advancing the
20 goals and policies of the Board, and wish her well in her
21 retirement and all future endeavors."

22 Susan, we're just very, very proud to present
23 this to you.

24 (Applause)

25 CHAIRPERSON MARIN: Okay. Thirty-seven years.

1 COMMITTEE MEMBER WASHINGTON: That's how old I
2 am.

3 CHAIRPERSON MARIN: That's how old you are?
4 Imagine. Okay. No comment there.

5 Well, I'm actually younger than he is anyway.

6 COMMITTEE MEMBER PEACE: That means I'm the
7 oldest. Thank you for bringing that up.

8 CHAIRPERSON MARIN: With that, let the record
9 reflect that Mr. Young Washington is here already.
10 And did you have any ex partes?

11 COMMITTEE MEMBER WASHINGTON: No, Ma'am. I'm up
12 to date.

13 CHAIRPERSON MARIN: Excellent.

14 Okay. Patty, now you can take it from here.

15 DEPUTY DIRECTOR WOHL: Good morning, Madam Chair
16 and Board members. Patty Wohl with the Waste Prevention
17 and Market Development Division. I have a few things I'd
18 like to report this morning, starting with that Board
19 Chair Marin and Board Member Mulé and staff attended a
20 compost demonstration on May 25th in Southern California.
21 I believe Ms. Marin first met with Doug Failing, the
22 Director of Caltrans District 7, to encourage Caltrans to
23 use more compost, mulch, and rubberized asphalt concrete
24 and recycled aggregate in future projects.

25 The group then van-pooled to the 210-134 exchange

1 in Pasadena to observe composted mulch blown onto a steep
2 hillside and a composted filter media blown into a filter
3 sock. Very technical. Dan Noble, Executive Director of
4 the Association of Compost Producers, explained how this
5 green material can help conserve water, reduce erosion,
6 improve soil health, protect water quality, and control
7 weed growth. Over 20 people attended the event, and we
8 hope this is just the beginning of an ongoing partnership
9 with Caltrans.

10 In addition, I wanted to take a minute to give
11 accolades to one of our staff. Dana Papke of the
12 Sustainable Building Program was recently appointed as a
13 member of the U.S. Green Building Council's Leadership in
14 Energy and Environmental Design, LEED, Materials and
15 Resources Technical Advisory Group for a two-year term.

16 I believe Dana is in the audience. Maybe you can
17 stand up, Dana.

18 (Applause)

19 DEPUTY DIRECTOR WOHL: The group is tasked with
20 responding to credit interpretation requests and credit
21 ruling appeals. And one of the first tasks she will
22 assist with is the development of credits for the
23 Materials and Resources category of the LEED 2.2 rating
24 system. This will be an excellent opportunity for CIWMB
25 to provide significant input on recycled content on issues

1 as they relate to this program. So congratulations to
2 Dana on that.

3 Also wanted to mention that the next Zone
4 Administrator Training Workshop will take place June 16th
5 and 17th in Los Gatos. Speaker presentations and group
6 discussions will focus on the marketing of the RMDZ
7 program at the local level. Specific marketing tools,
8 such as a video, case studies about RMDZ businesses, and
9 best practices will be discussed. Our Public Affairs
10 Office also will attend, as RMDZ staff have been working
11 closely with them to coordinate particular aspects of the
12 ZAs' marketing strategy.

13 Moving on to loans, presently there are \$11
14 million available for new loans. Considering today's two
15 loans totaling 1.6-million-plus, there will remain 8.5
16 million. The amount available will increase on December
17 15th, 2005, with a collection of the final installment of
18 the bulk loan sale estimated at slightly over 10 million.

19 As you may know, Loan staff has been trying to
20 drum up additional business. We're currently analyzing
21 three new loan applications. And we've been working with
22 25 recycling businesses that have been inquiring about the
23 RMDZ Program. So we're optimistic.

24 And with that, I go into my first two items,
25 unless there's any questions.

1 CHAIRPERSON MARIN: I just want to suggest to
2 everybody that is going to go and see compost being blown
3 off not to wear any makeup, especially when it's very
4 muggy outside. And then you have all of this compost
5 blown up. My makeup was a little bit brown by the time I
6 finished there. So that's just my little tip I give to
7 Mr. Washington. Don't wear any makeup.

8 COMMITTEE MEMBER WASHINGTON: I'm not going back
9 to any compost.

10 CHAIRPERSON MARIN: That was an incredible
11 effort, and the Compost Association did a remarkable job.
12 Hopefully, Caltrans will be able to see the benefits of
13 that system and they will use more and more. It was very
14 impressive what they were able to do. So thank the
15 Composting Association for that.

16 DEPUTY DIRECTOR WOHL: Yes, because they donated
17 all that compost. So it was great.

18 CHAIRPERSON MARIN: Okay. First item.

19 DEPUTY DIRECTOR WOHL: First item is Item 8, or
20 Committee Item B, Consideration of the Recycling Market
21 Development Revolving Loan Program Application for Pacific
22 Pallet Company, a General Partnership. And Jim La Tanner
23 will present.

24 LOAN PROGRAM SUPERVISOR LA TANNER: Good morning.

25 This loan request for the RMDZ Loan Program the

1 agenda items, presents for consideration, Pacific Pallet
2 Company is requesting 712,000 to be used for real estate
3 equipment and working capital. The company primarily
4 takes wood from the ships that come into Long Beach and
5 uses that and cuts it up and takes some used pallets and
6 makes reusable pallets out of that to sell it back for
7 100 percent recyclable material there.

8 As a result of this loan, they will divert an
9 additional 14,000 tons of discarded wood from California
10 landfills and add five new jobs. This is in conjunction
11 with them moving to a new site in Long Beach.

12 The applicants for the loan are not able to
13 attend today. It's a small company with two primary
14 owners with plenty of ships in Long Beach to handle.

15 With that, staff recommends the Committee approve
16 Option 1 and adopt Resolution 2005-162 to approve the RMDZ
17 Loan to Pacific Pallet Company in the amount of 712,000.

18 Any questions?

19 CHAIRPERSON MARIN: Members, any questions?

20 I know that you've done an incredible job of
21 making sure that they have the ability to pay us back and
22 so forth. And I think they have a very, very good
23 company. I don't know if anybody from the company is
24 here.

25 LOAN PROGRAM SUPERVISOR LA TANNER: No. They're

1 not able to attend.

2 I should add the Loan Committee did meet on June
3 2nd and approved the loan as presented.

4 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
5 like to move adoption of Resolution 2005-162.

6 CHAIRPERSON MARIN: Okay. Is there a second?

7 COMMITTEE MEMBER PEACE: Second.

8 CHAIRPERSON MARIN: Moved by Mr. Washington and
9 seconded by Ms. Peace.

10 Call the roll, please.

11 EXECUTIVE ASSISTANT BAKULICH: Peace?

12 COMMITTEE MEMBER PEACE: Aye.

13 EXECUTIVE ASSISTANT BAKULICH: Washington?

14 COMMITTEE MEMBER WASHINGTON: Aye.

15 EXECUTIVE ASSISTANT BAKULICH: Marin?

16 CHAIRPERSON MARIN: Aye.

17 And we'll put this on fiscal consent.

18 Next item.

19 DEPUTY DIRECTOR WOHL: Next item is 9, or
20 Committee Item C, Consideration of the Recycling Market
21 Development Revolving Loan Program Application for
22 TerraMai, a California Corporation. And Jim La Tanner
23 will present this also.

24 LOAN PROGRAM SUPERVISOR LA TANNER: TerrMai is
25 requesting an RMDZ loan in the amount of 944,000 to

1 finance the expansion of reclaimed wood and remilling
2 operation. The proceeds will be used to purchase
3 machinery and equipment, add leasehold improvement, and
4 strengthen the working capital to stock inventory and
5 carry accounts receivable for their expansion up into the
6 Siskiyou zone.

7 The Loan Committee met on June 2nd and approved
8 the loan. This project is projected to increase diversion
9 by 913 tons to 1,829 tons per year starting in 2006. The
10 major stockholder, 75 percent, Ken Westrick, is here today
11 and would like to make a brief presentation.

12 CHAIRPERSON MARIN: Please do. Welcome.

13 Can you tell me before you -- how much your
14 company is diverting right now and with this loan how much
15 you expect to divert. And welcome. Thank you very much
16 for being here.

17 MR. WESTRICK: Thank you.

18 Currently, we are diverting approximately 933
19 tons per year. And this will increase it by 896 to about
20 1,829 tons in 2006.

21 CHAIRPERSON MARIN: Excellent.

22 MR. WESTRICK: I have a couple comments about the
23 company, or do you have specific questions?

24 CHAIRPERSON MARIN: Please do.

25 MR. WESTRICK: TerraMai was started about 15

1 years ago. And of late, we've been going through a pretty
2 rapid expansion of the business. And for that reason,
3 this type of financing is very important to us. Fairly
4 recently we were able to recycle about 500 tons of douglas
5 fir from a company called Napa Pipe. And we were able to
6 actually take that for the asking. But we had to invest
7 quite a few dollars, about 32,000, in order to grade the
8 fir on site and then to take it to our facility.

9 The good news is we were able to save 500 tons,
10 for lack of -- I'm sorry. Actually, it was 700 tons. For
11 lack of financing, though, and their impatience, they went
12 ahead and chipped about another 350 tons. This is a very
13 specific example where, with this type of financing, we
14 would be able to go ahead and reclaim the wood in a prompt
15 manner and save the landfills. So this is an important
16 financing vehicle for our company. We do appreciate the
17 consideration.

18 CHAIRPERSON MARIN: Okay. Thank you very much.

19 Any further questions?

20 Ms. Peace.

21 COMMITTEE MEMBER PEACE: This is a great project.
22 It's great to hear you're diverting so many tons. Of all
23 the tons you're diverting, how many of those tons are
24 coming from outside the United States?

25 MR. WESTRICK: From outside the United States, I

1 don't have the exact figure. But it's probably about half
2 of that approximately, or maybe actually about 40 percent.
3 I don't have the exact figure.

4 COMMITTEE MEMBER PEACE: Forty percent you're
5 importing from Asia?

6 MR. WESTRICK: Forty percent we're importing.
7 And 60 percent from America, the United States. And just
8 to be clear about that, we find that our business is
9 dependent on being strong financially. And so what we're
10 able to reclaim internationally helps to support the
11 financial health of the company.

12 COMMITTEE MEMBER PEACE: Thank you.

13 CHAIRPERSON MARIN: Okay. Thank you very much
14 for coming.

15 Is there a motion?

16 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
17 like to move adoption of Resolution 2005-163.

18 CHAIRPERSON MARIN: Is there a second?

19 COMMITTEE MEMBER PEACE: Second.

20 CHAIRPERSON MARIN: Moved and seconded. Without
21 objection, we will substitute the previous roll call.

22 Next item.

23 Thank you and good luck. And then give us our
24 money back.

25 DEPUTY DIRECTOR WOHL: We'll put both of those on

1 fiscal consent.

2 CHAIRPERSON MARIN: Yes. Absolutely.

3 DEPUTY DIRECTOR WOHL: Agenda Item 10,

4 Consideration of Recommended Environmental Purchasing

5 Criteria for -- I'm skipping one. Consideration of

6 Recommended Environmental Purchasing Criteria For Use By

7 State Agencies Pursuant to the Electronic Waste Recycling

8 Act. And Terri Persons will present.

9 MS. PERSONS: Good morning, Committee members.

10 My name is Terri Persons with the Electronic Recycling

11 Branch.

12 As Patty mentioned, I'm presenting Committee Item

13 D, Consideration of Recommended Environmental Purchasing

14 Criteria For Use By State Agencies Pursuant to the

15 Electronic Waste Recycling Act.

16 As noted in the agenda item, the Electronic Waste

17 Recycling Act of 2003, also known as SB 20, requires the

18 Board in coordination with the Department of Toxic

19 Substances Control to establish a working group to develop

20 and recommend environmental purchasing criteria that may

21 be used by State agencies to identify covered electronic

22 devices with reduced environmental impacts. The purpose

23 of this item is to present the recommendation developed by

24 the working group.

25 Staff, in coordination with DTSC and the

1 Department of General Services, established a working
2 group consisting of representatives from environmental
3 organizations, including Silicone Valley Toxics Coalition
4 and Californians Against Waste, and equipment
5 manufacturers including HP, Dell, and Apple, as well as a
6 representative from the Electronic Industries Alliance and
7 the U.S. EPA. Staff would like to thank all the working
8 group participants for helping develop the recommendation
9 and for their continued effort to encourage
10 environmentally preferable purchasing by government
11 organizations.

12 The working group held a series of meetings to
13 discuss options for meeting the requirements of the
14 Electronic Waste Recycling Act. Through this process, the
15 working group identified the electronic product
16 environmental assessment tool, which is currently under
17 development by a multi-stakeholder group with support from
18 the U.S. EPA as a viable option for meeting the
19 requirements established by SB 20.

20 Known as EPEAT, since the name is so long and
21 that's how I'll refer to it, the Electronic Product
22 Environmental Assessment Tool is designed to help
23 institutional purchasers in the public and private sectors
24 to evaluate, compare, and select desktop computers,
25 monitors, and laptops based on their environmental

1 attributes.

2 Through EPEAT, purchasers will be able to use
3 EPEAT to evaluate electronic products according to three
4 tiers of environmental performance: Bronze, silver, and
5 gold. The three-tier system will provide purchasers with
6 the flexibility to select equipment that meets the minimum
7 performance criteria or to give preference points to
8 models with more environmental attributes by specifying a
9 higher EPEAT qualification level. Manufacturers will
10 evaluate their products against the EPEAT criteria and
11 self-certify that the products meet the EPEAT criteria.

12 Extensive multi-stakeholder effort to develop
13 EPEAT took place at a national level over the course of 18
14 months. Staff from the Board participated in the EPEAT
15 development team as part of our broader effort in
16 encouraging the purchase of environmentally-preferable
17 products. While the EPEAT implementation team is
18 currently identifying an organization to coordinate a
19 public comment process for the EPEAT project, the EPEAT
20 criteria has been finalized. The EPEAT system is expected
21 to be operational in 2006.

22 And because we're talking specifically about
23 State agencies, I just wanted to provide a little
24 information about the Department of General Services. And
25 they provide oversight and direction to State agencies on

1 the procurement of goods and services. And to inform
2 State agencies of any type of policy recommendation, the
3 Department of General Services would issue a broadcast
4 bulletin to all State agencies. And because we're trying
5 to coordinate and providing direction to State agencies,
6 we spent a lot of time working with DGS on this.

7 Staff recommends that the Board select Option
8 Number 2 and adopt Resolution 2005-164. Option Number 2
9 recommends the Board adopt the EPEAT rating system and
10 specify bronze level certification for all current and
11 future EPEAT related products, and also requests DGS to
12 issue a broadcast bulletin on the use of EPEAT by State
13 agencies.

14 Option 2 covers more products than Option 1,
15 which only includes those identified as covered electronic
16 devices. And Option 2 provides flexibility as more
17 products are added to the list of covered electronic
18 devices and to EPEAT.

19 That completes my presentation. Are there any
20 questions?

21 CHAIRPERSON MARIN: Members, any questions?

22 Ms. Peace.

23 COMMITTEE MEMBER PEACE: I have some questions.

24 I guess you're recommending the bronze and not
25 the silver --

1 MS. PERSONS: Correct. I can explain that.

2 COMMITTEE MEMBER PEACE: -- because of
3 availability?

4 MS. PERSONS: It's based on product availability.
5 Initially, the bronze level is kind of the entry level.
6 And, initially, there are products right now that do meet
7 that criteria. There aren't a lot of products that meet
8 the silver level. And I don't know if there's any that
9 meet gold. That was one of the concerns expressed by
10 manufacturers, is that if you specify the higher level,
11 then the purchasers either will have only one or two
12 options, or they might not have any options. So they
13 wanted to make sure that the purchasers had an adequate
14 selection of product.

15 COMMITTEE MEMBER PEACE: So do I understand that
16 if we really want to push more environmentally-friendly
17 electronics, we need to push the silver or the gold? It
18 says here that State agencies should start at the lower
19 bronze level of the EPEAT criteria to ensure there is a
20 reasonable pool of products and allow time for the design
21 of products to meet the higher EPEAT criteria. So how
22 much time do you think we're talking about, and when do we
23 re-evaluate it to see when we would notch it up to the
24 silver or the gold level?

25 MS. PERSONS: Well, first of all, the

1 manufacturers who are involved in the working group said
2 it would take a few years as they're developing products
3 to incorporate the EPEAT criteria into their design
4 process. So over the next few years, they expect to have
5 more and more products that meet the silver and gold
6 level.

7 And then, also, an individual State agency, if
8 they choose to decide they wanted to go with the silver
9 level products, they can make that choice themselves. So
10 the bronze is the minimum level. So if an individual
11 agency decides they want to specify EPEAT products at the
12 silver rated level, they have that option.

13 COMMITTEE MEMBER PEACE: Also, you're
14 recommending Option Number 2, but Option Number 3, the
15 only difference is that you commit to an active
16 participation by California and EPEAT implementation. I
17 was just wondering why you don't want to do that, why
18 you're recommending 2 and not 3.

19 MS. PERSONS: Primary difference would be the
20 level of resources -- staff and resources that we would
21 need to commit with Level 3. And at this point, we feel
22 we don't have those resources available. That might be a
23 subsequent item for the Board to discuss as EPEAT
24 progresses.

25 COMMITTEE MEMBER PEACE: So for active

1 participation, what would that mean for us?

2 MS. PERSONS: That would mean on the
3 Implementation Team and working with the EPEAT
4 Implementation Team probably focusing on how to get more
5 agencies in California to adopt EPEAT.

6 COMMITTEE MEMBER PEACE: So if we're not involved
7 in that, who is going to be pushing that?

8 MS. PERSONS: There's a multi-stakeholder group
9 at a national level, and U.S. EPA is involved with that.
10 And so -- and I can't speak for DGS, but there's the
11 potential that their Procurement Division could be
12 involved. But we don't have any information from them on
13 that commitment.

14 COMMITTEE MEMBER PEACE: You don't think it's
15 important for us to be more involved?

16 MS. PERSONS: I think it is, especially within
17 the context of our broader goals of promoting
18 environmentally-preferred purchasing.

19 COMMITTEE MEMBER PEACE: Thank you.

20 COMMITTEE MEMBER WASHINGTON: What's the
21 difference we're talking in terms of Option 2 and 3? You
22 said it's resources that's causing you guys to decide on
23 Option 2 versus Option 3?

24 MS. PERSONS: Staff and time.

25 COMMITTEE MEMBER WASHINGTON: What are we talking

1 about in terms -- do you know? If you don't know, it's
2 fine.

3 MS. PERSONS: I don't know at this point what
4 that would involve.

5 COMMITTEE MEMBER WASHINGTON: Okay.

6 CHAIRPERSON MARIN: Okay. Any further questions?

7 COMMITTEE MEMBER PEACE: This sounds kind of
8 important to me that we should be more involved in this.

9 CHAIRPERSON MARIN: We did create the working
10 group.

11 COMMITTEE MEMBER PEACE: Yeah. But now we're not
12 going to have any active participation in it, because we
13 don't have the staff to do that.

14 MS. PERSONS: There's a distinction between our
15 specific working group for the purchasing criteria for
16 this item, because our deliverable was to bring forward
17 this recommendation. And then there is a broader
18 Implementation Team, the EPEAT Team, which we do have the
19 opportunity to participate in that.

20 CHAIRPERSON MARIN: But you're not suggesting
21 we're not going to participate. We are going to
22 participate.

23 COMMITTEE MEMBER PEACE: No. That's the
24 difference between Option 2 and Option 3.

25 CHAIRPERSON MARIN: Patty, what will be -- it

1 seems to me we would want to participate.

2 DEPUTY DIRECTOR WOHL: Well, we agree with that.

3 I think the team agrees with that. It's just a matter of

4 we're trying to get a big program up and running here.

5 And a lot of it involves the internal processes of getting

6 that up and running, you know, reviewing the applications

7 and getting the money out to the people. So we sort of

8 are, I believe, focused on that commitment first. And

9 then we do want to expand. And it would just be a matter
10 of seeing how this goes.

11 And as resources -- we haven't been that

12 successful in getting our resources through Finance. So

13 all of that kind of weighs on us trying to do the best

14 program we can, given what we have available. And it is a

15 very limited number of staff.

16 CHAIRPERSON MARIN: Well, then I suggest that --

17 I would strongly suggest what we do, we go along with the

18 recommended criteria. And during our budget discussions,

19 that if that becomes part of the priority system, that we

20 revisit that at that particular time.

21 Taking that into consideration, you know, while

22 this is an incredibly important goal, when we look at the

23 scheme of all of our goals and objectives, that may not

24 require the allocation of one staff or two or three.

25 Depending on the priorities, we will decide at that time.

1 But I wouldn't want to make that decision right now.

2 I think we go along with what staff is
3 recommending right now. And I know that you will make
4 sure that we revisit this at the appropriate time during
5 budget.

6 COMMITTEE MEMBER PEACE: Do we have limited staff
7 because of the BCP process? Did we request more people
8 for the E-Waste, and Department of Finance turned us down?

9 EXECUTIVE DIRECTOR LEARY: Excuse me, Madam
10 Chair. Mark Leary, Executive Director.

11 We are very limited. We were less than
12 successful in requesting resources through past budget
13 processes for our E-Waste implementation. As Patty
14 suggests, we're very focused on responding to invoices and
15 getting the money back out on the street. But that's not
16 to say, given my sense of your priorities, we can review
17 what exactly active participation might mean for our
18 organization and shift resources from elsewhere to this
19 priority project. And if you would allow me to evaluate
20 that further and get back to you.

21 CHAIRPERSON MARIN: You know, there is a time
22 when we need to make some choices, and some of them are
23 hard choices, because we do have a limited amount of
24 staff. So you've done a very good job coming to this
25 level. You've delivered what you set out to do. And that

1 is the question before us. Should we want to engage in
2 further or an expansion of this commitment, that needs to
3 be compared or contrasted to the other priorities of the
4 Board.

5 COMMITTEE MEMBER WASHINGTON: Madam Chair, if I
6 may add.

7 I certainly agree with Mr. Leary. And I believe
8 that and I hope that the Board will certainly engage in
9 making sure that we do have the number of staff people
10 available. Just at the Waste to Energy Conference in
11 Florida I attended last month, a few people talked -- and
12 I think Ms. Shirley Willd-Wagner would appreciate this.
13 They brought up California's Waste Act and the aggressive
14 approach you're taking. I hope that as the leader in
15 electronic waste in the country, and people are perceiving
16 us to be that, that you do have the staff available to
17 help you continue to move in that direction.

18 CHAIRPERSON MARIN: All right. Is there a motion
19 for Resolution 164?

20 COMMITTEE MEMBER WASHINGTON: Yes. I'd like to
21 move adoption of Resolution 2005-164, Option 2.

22 COMMITTEE MEMBER PEACE: Second.

23 CHAIRPERSON MARIN: Moved and seconded.

24 Without objection, this will go to the Board on
25 consent, and we'll substitute the previous roll call.

1 I have a question. We revised -- it's not before
2 me, but we did revise that portion.

3 DEPUTY DIRECTOR WOHL: Yes.

4 CHAIRPERSON MARIN: All right. Thank you very
5 much. Good work.

6 All right, Patty, the next item.

7 DEPUTY DIRECTOR WOHL: Agenda Item 11,
8 Consideration of the Scoring Criteria and Evaluation
9 Process for the Reuse Assistance Grants Program, Fiscal
10 Year 2005-2006 and 2006-2007. And Sarah Weimer will
11 present.

12 CHAIRPERSON MARIN: Hi, Sarah. How are you?

13 MS. WEIMER: Fine. How are you?

14 CHAIRPERSON MARIN: Good.

15 MS. WEIMER: Sarah Weimer with the Reuse
16 Assistance Grants Program with the Waste Management Board.

17 This agenda item is for consideration of the
18 scoring criteria and the evaluation process for the Reuse
19 Assistance Grants Program for fiscal years 2005-2006 and
20 2006-2007. Reuse is the second level in the waste
21 reduction hierarchy, and the Reuse Assistance Grants
22 Program is one of the few Board programs that focuses
23 primarily on reuse.

24 For this offering, staff proposes implementing a
25 new time line to maximize the amount of time grantees have

1 to complete the grant projects and to make best use of the
2 awarded grant funds. And should a grantee be unable to
3 move forward with the project as originally intended, to
4 allow enough time to reallocate the funds to the next
5 eligible applicant in order of rank. In order to
6 implement the new time line efficiently, staff proposes
7 using the criteria and evaluation process presented in
8 this item for both Fiscal Year 2005-2006 and 2006-2007
9 offerings.

10 The general review criteria consists of the
11 standard review criteria already approved by the Board
12 weighted heavily on need for the proposed projects. These
13 criteria are similar to the criteria in the fiscal year
14 2004-2005 offering in which the grant recipients are
15 currently working on their grant projects. The Board
16 approved award of the Fiscal Year 2004-2005 grants at the
17 December 14th and 15th, 2004, meeting.

18 Through the Reuse Assistance Grants, we estimate
19 that over 46,000 tons of materials are diverted annually.
20 The Board has allocated \$250,000 for each offering,
21 resulting in an average of 225 pounds being diverted
22 annually for every dollar spent by the Board. The
23 matching contribution requirement has enabled the Board's
24 funds to be stretched even further and have a greater
25 impact as \$1.2 million has been awarded by the Board, but

1 over \$3.6 million has been provided by the grantees in
2 matching funds.

3 Following approval of this item and passage of
4 the State's budget for Fiscal Year 2005-2006, Program
5 staff will send the Notice of Funds Availability, NOFA, to
6 several thousand contacts statewide. The NOFA will also
7 be placed on the Board's website. The proposed postmark
8 deadline for Fiscal Year 2005-2006 grant applications is
9 October 27th, 2005. Once the applications are received,
10 Program staff will convene panels consisting of
11 appropriate Board staff.

12 In an attempt to bolster the interest and the
13 number of applications and application scores from
14 Southern California, staff presented a grant writing
15 workshop at the City of Lynwood in March 2005 for the
16 Los Angeles Area Regional Agency.

17 Based on Board's direction, staff will award
18 grants based on geographic distribution where
19 approximately 60 percent of funding will be awarded to
20 applications receiving passing scores submitted by
21 Southern California entities, and 40 percent of funding
22 will be awarded to applications receiving passing scores
23 submitted by Northern California entities.

24 \$250,000 is allocated for each offering of Reuse
25 Assistance Grants, which typically results in six grants.

1 Awarding grants based on geographic distribution will
2 result in approximately four grants being awarded to
3 Southern California and two grants being awarded to
4 Northern California. The proposal will utilize up to
5 \$250,000 of Fiscal Year 2005-2006 IWMA funds and \$250,000
6 of Fiscal Year 2006-2007 IWMA funds.

7 Staff recommends that Board direct staff to issue
8 a NOFA in accordance with the recommended approaches
9 discussed in this item to use the proposed evaluation and
10 scoring criteria to evaluate and rank applications for the
11 Fiscal Year 2005-2006 and 2006-2007 offering and bring the
12 result and list of ranked applications back to the Board
13 for approval.

14 At this time, do you have any questions?

15 CHAIRPERSON MARIN: I have some questions, and
16 they're not new to you or Patty.

17 On the scoring criteria, there are some items
18 that -- I'm going to see if we can just move these
19 opportunities for all grants. So this is not just your
20 grant. We have the general review criteria, which tells
21 us basically what the program is all about. And then
22 there is a preference criteria. I think in being
23 consistent with the goals of this Board, the preference
24 criteria should be very clearly related to the priorities
25 of the Board.

1 And so Item Number -- the very first item, which
2 is Item Number 8 on the preference criteria, is the
3 pre-priority wastes. To me -- because this is one of the
4 most significant challenges for us. This is where we have
5 the priority of our waste is both food, organics, and
6 construction and demolition. It seems to me if we're
7 going to give some preference that the bulk of that should
8 go to that.

9 And the other preference criteria, while
10 important, I'm sure meaningful at one point in time, it
11 seems to me that it deviates from the true purpose and
12 focus of what we're attempting to do.

13 So my recommendation would be that we give the 25
14 points to the key priority waste, because that's where
15 we're going to be focusing ourselves. We know that
16 organics is 30 percent of what still goes to the
17 landfills. And with construction and demolition, we know
18 that is an area.

19 Expansion and visual and educational and
20 recipients of the project and vocational training, I don't
21 know how any of this gets us to divert any more. But I do
22 know that the priority wastes will definitely provide the
23 focus that we need.

24 So my recommendation would be to give the entire
25 amount to that, if, in fact, that is our priority and

1 where we are focusing ourselves. That would be my
2 recommendation to the Committee. And we may need to go to
3 the Board directly with this. But it's really focusing
4 our efforts to what we think is really important.

5 MS. WEIMER: So to clarify, would you want to
6 keep the general review at 100 and then have 25 points
7 extra for the preference criteria for the key priority
8 wastes?

9 CHAIRPERSON MARIN: Well, actually, my real
10 preference is to have 100 points, period, total. So if we
11 were to move -- you know, maybe we just give priority
12 waste 5 or 10 points. And then the rest of the 100 -- you
13 know, that becomes 90 points. So there is not an extra
14 overweight. My preference would be to have a total of
15 100. And then the key priority waste becomes a small area
16 within the entire general criteria.

17 COMMITTEE MEMBER WASHINGTON: That means we get
18 rid of expansion, visible, and educational recipients of
19 projects and vocational training?

20 CHAIRPERSON MARIN: Yeah.

21 None of this gets us to what we're really trying
22 to do, which is divert. We're only measured -- our Board
23 is only measured by how much we divert. Everything we do
24 needs to go against that backdrop.

25 COMMITTEE MEMBER WASHINGTON: I have no problem

1 with that. What I would suggest is that we do send it to
2 the full Board. That way we can digest it and --

3 CHAIRPERSON MARIN: Can you come give us a total
4 of 100 and then your best recommendation, whether it's 10
5 points for the preference on key wastes, whether it's 5
6 points or 10 points, you know. I don't want to be overly
7 outweighed. Okay.

8 COMMITTEE MEMBER PEACE: Madam Chair, before we
9 go that far, what I'd like to say, this has been a very
10 well-run grant program. We have funded some great
11 projects, a variety of projects. In fact, last year when
12 we heard the projects that were funded, we were saying,
13 wow, this is really great. I wish we had more money to do
14 more of these projects.

15 So before we go that far, I mean, I would like
16 staff to help me understand why they think these other
17 preference points are important to the program. Because I
18 think the program has run very well. If they can explain,
19 help me understand why you think these are important.

20 MS. WEIMER: Sure. I'd be happy to. We already
21 know the key priority wastes are important. Would you
22 like me to go on with Criteria 9 through 12 then?

23 The expansion criteria, that was intended to make
24 additional points available to proposals that would expand
25 or enhance an existing program. Using grant funds to

1 further current operation would help ensure the benefits
2 from the program would continue long after the grant term.

3 COMMITTEE MEMBER PEACE: And why do we think that
4 was important to put expansion in the preference criteria
5 versus just putting it in the general review criteria?

6 MS. WEIMER: Well, the preference criteria --
7 we're certainly happy to modify it however the Board sees
8 fit. At the time when it was prepared and created, it
9 seemed it would be a good way to help separate and set
10 apart applications that might be very similar in nature
11 and might receive very similar scores.

12 Since we do have a scoring process, we have to be
13 able to rank applications. So by establishing preference
14 criteria for different aspects of programs which we felt
15 would, in fact, help reuse and further diversion
16 efforts -- because as I mentioned with expansion,
17 additional points would be made for a program that was
18 existing that's currently operating, we know those funds
19 once they're given to that project, that project will
20 continue even after the grant term has ended. So the
21 Board's money would still be benefited.

22 COMMITTEE MEMBER PEACE: What if we just had
23 expansion in the general criteria? Could be a new --

24 MS. WEIMER: It could be another question. It
25 certainly could be another phase of the general criteria.

1 COMMITTEE MEMBER PEACE: Expansion could include
2 all the ones that are already out there to keep going and
3 expand?

4 MS. WEIMER: Exactly.

5 Another criteria for the criteria the visible,
6 educational, again, being visible, that was intended to
7 help increase the likelihood of the project's
8 sustainability by making it visible to the public, thereby
9 increasing the chances that additional materials would be
10 diverted even after the grant term has ended.

11 The recipients' criteria, that was intended to
12 provide additional points to proposals that would benefit
13 educational or nonprofit organizations. Again,
14 educational nonprofit organizations, because they're able
15 to operate with a lower no-profit margin and provide
16 service to the community, this we felt was important
17 during these times of budget constraints.

18 The vocational job skill training criteria, that
19 was intended to make additional points available for
20 projects that would intend to train people in the reuse
21 sector, making staff and volunteers equipped with the
22 knowledge of how to continue on a similar reuse project,
23 even after the grant term has ended. So, again, equipping
24 people to learn how to operate in the reuse industry.
25 Once the grant term has ended, we know this project will

1 most likely continue and continue to divert.

2 COMMITTEE MEMBER PEACE: Okay. Thank you.

3 Do you know how many of the Reuse Grants we've
4 given do continue?

5 MS. WEIMER: There's probably 90 percent of the
6 grants we give are for projects that continue long after
7 the grant term. For example, the City of La Veta, they
8 received \$50,000 from Fiscal Year 2000-2001 funds. They
9 expanded an existing food rescue program. They provide
10 services to the South Bay Area-Los Angeles County. The
11 program collects edible food not sold at restaurants and
12 hotels and hospitals, provides it to the nonprofit Food
13 Finders, who allocates the food to organizations and helps
14 to meet the nutritional needs for those not as fortunate.
15 Food Finders now collects and distributes food in Los
16 Angeles and Orange County thanks to the Reuse Assistance
17 Grant at no cost to recipients and diverts 4200 tons
18 annually.

19 Another example is the City of Lakewood in L.A.
20 County. They received \$44,000 from Fiscal Year 03-04
21 funds. They are diverting the bulky item collection
22 donations to reuse facilities. Materials include C&D,
23 electronic, household bulky items. Now that networks are
24 in place and established, the City now diverts an average
25 of 810 tons annually for reuse purposes.

1 I can give you more if you'd like.

2 COMMITTEE MEMBER PEACE: That's great. Thank
3 you.

4 CHAIRPERSON MARIN: Go ahead.

5 COMMITTEE MEMBER WASHINGTON: I think that -- and
6 I certainly hate that Sarah had to stand here and give a
7 full presentation, because that's what I think is
8 important to send it to the full Board and allow Ms. Mul
9 to participate in the process. And then you wouldn't have
10 to have her go through this. Because those are things she
11 can provide to the Board prior to going to the full Board,
12 is get those examples of what's important.

13 Because maybe we can convince Madam Chair that
14 maybe all 25 points might not go to priority waste. Maybe
15 we give 5 to expansion or something like that. Just to
16 give us something to work with as we send it to the full
17 Board. I would certainly appreciate if you give us
18 examples and certainly staff's point of view.

19 And thank you, Ms. Peace, for asking for that.
20 That was going to be my next question, as to how important
21 are these things to keep in the criteria.

22 CHAIRPERSON MARIN: I don't think any of the
23 preference criteria have actually anything to do with the
24 programs she just said, the preference criteria.

25 But more importantly, you know, I had no problem

1 with these grants at all. It's not like I don't want the
2 Reuse Grants. We should be working with Freecycling.
3 That's a nonprofit organization that everything is free,
4 and there's a lot of reuse in there. We should be working
5 more to do -- I have no problem with granting this money.
6 The question is the preference. You know, all these other
7 things, the expansion and the educational and recipient,
8 if we have no points for that, it doesn't mean that we're
9 not going to grant these grants.

10 COMMITTEE MEMBER WASHINGTON: No. I understand.

11 CHAIRPERSON MARIN: So --

12 MS. WEIMER: We would be happy to provide the
13 Board with another option or version of the criteria to
14 better fit in line with what you're talking about.

15 CHAIRPERSON MARIN: And the expansion, that could
16 be a portion on the general review criteria.

17 MS. WEIMER: We can certainly incorporate those
18 aspects into the general, if that's what's desired.

19 CHAIRPERSON MARIN: So we'll bring this to the
20 Board. And, you know, the whole thing is, maybe we need
21 to increase the amount of money that goes to the Reuse
22 Grants if, in fact, this is something really important,
23 you know.

24 MS. WEIMER: We would definitely be open to that.

25 CHAIRPERSON MARIN: I'm sure you would. Okay.

1 Thank you so very much.

2 COMMITTEE MEMBER PEACE: That brings up the
3 question maybe we would have liked to put more money into
4 the Reuse Grants. Maybe we would have liked to put more
5 IWMA money into the Sustainable Building Grants. And I
6 would have liked the chance to have done that last month
7 in the reallocation item of the IWMA funds. But we didn't
8 have a chance to look at them except a couple of days
9 before. And then we didn't have much time to discuss them
10 at the Board meeting.

11 So I think we need to think about that next time.
12 We need to know how much money is available in the IWMA
13 fund way ahead of just a couple of days before the Board
14 meeting so that we can take all these ideas and decide,
15 you know, where we want to put the money.

16 CHAIRPERSON MARIN: And we will have that
17 opportunity even when we have -- in January when we
18 actually have the opportunity to start looking at the
19 moneys that are left. I think that by doing that, we're
20 going to have the opportunity to redirect or reprioritize
21 the desires of the Board, the focuses of the Board.

22 COMMITTEE MEMBER PEACE: Like you said, in this
23 particular item on these preference criteria, that's
24 exactly what they are is preference. There is no right or
25 wrong. It is a preference. So I agree with you we'll

1 just move this to the full Board and have a discussion at
2 the full Board.

3 CHAIRPERSON MARIN: Thank you. Okay.
4 Patty, the next one.

5 DEPUTY DIRECTOR WOHL: My last item is Agenda
6 Item 12, Consideration of the Grant Awards for the
7 Sustainable Building Tire Grant Program, Fiscal Year
8 2004-2005. And Bill Orr will present.

9 CHAIRPERSON MARIN: Hi, Bill.

10 RECYCLING TECHNOLOGIES BRANCH MANAGER ORR: Good
11 morning, Madam Chair and Committee members. My name is
12 Bill Orr with the Recycling Technologies Branch. This
13 agenda item asks for your consideration of the grant
14 awards for the Sustainable Building Tire Grant Program.

15 At the May 2003 Board meeting, the Board adopted
16 the revised Five-Year Tire Plan, second edition, covering
17 Fiscal Years 2003 through 2008. This plan provided a
18 funding allocation of \$300,000 for Fiscal Year 2004-05 to
19 the Sustainable Building Program to assist in the
20 development of markets and new technologies for California
21 waste tires.

22 At the February 2005 Board meeting, the Board
23 approved the scoring criteria and evaluation process for
24 this grant solicitation. We put the Notice of Funds
25 Available out on February 17th, and the application period

1 ran from February 17th through April 29th. We received a
2 total of six applications totaling \$391,441.50. However,
3 one application was disqualified due to project
4 ineligibility. The remaining five were evaluated and
5 scored based on the Board-approved scoring criteria. One
6 of the remaining five applications did not meet the
7 minimum score of 75 points and, therefore, is not
8 recommended for funding.

9 The remaining four applications met the minimum
10 scoring criteria and are being recommended for funding.
11 The total to fund these four proposals is \$246,744.
12 According to the proposals, these four projects will
13 divert 22,997 tires with a cost per tire of \$10.73.
14 There's also the potential for diverting more tires, up to
15 43,662 tires with a cost per tire of \$5.66 cents, if the
16 proposed diversion numbers are achieved through the
17 proposed waste tire project. The remaining \$53,256 will
18 revert back to the Tire Fund.

19 Attachment 1 details the proposed grantees and
20 their project. I'm happy to go over those with you if
21 you'd like.

22 Staff recommends Option 1, approving the proposed
23 awards and directing staff to enter into grant agreements
24 and that the Board adopt Resolution 2005-166.

25 This concludes my presentation. Do you have any

1 questions?

2 CHAIRPERSON MARIN: Thank you, Bill.

3 Any questions for Bill?

4 I have a question, and I discussed this with some
5 staff members. I understand what we were attempting to do
6 with these grants. It seemed to me that the original
7 intent couldn't be met for a number of reasons, and so we
8 fell back to doing the rubberized part -- what do you call
9 it? Mats and roads, playgrounds and so forth. It would
10 have been my preference to have these grants come under
11 the Tire Fund. I am conflicted, because it seems to me
12 that we have a program that clearly has been developed for
13 these particular items.

14 And so my conflict right now is that we have all
15 of this -- I think all three of them out of the four could
16 have been granted under the Tire Grant Program. And now
17 we have this. I actually would defer to the Chair of the
18 Tire Grant, because I don't want any entities to think of
19 this particular grant as a backhand way to get moneys from
20 the Tire Fund, which they could have gone, you know, under
21 that program.

22 So I'm really conflicted. I expressed my
23 concerns to staff. And I really don't know -- I wouldn't
24 want to grant it under this, but it's your program.

25 COMMITTEE MEMBER PEACE: I was really

1 disappointed, and I'm sure staff is very disappointed that
2 we sent out 2100 NOFAs and we get six responses. And then
3 like you said, the ones that we have here could have been
4 funded through the playground. And they just don't
5 sound -- if the purpose of the program is to promote the
6 use and design of building products containing recycled
7 rubber, to me, these really don't fit the bill.

8 The first one is a playground and recycled rubber
9 flooring. The playground part could have come under a
10 different grant program in our next grant cycle through
11 the Tire Fund. In the Five-Year Plan, we have a
12 Tire-Derived Products Grant Program that these kind of
13 things would fall under.

14 For the first one, though, because it is a
15 playground cover and recycled flooring, we did fund all of
16 those projects. And even with the reallocation funds, we
17 funded all of those. So I think, in essence, we're saying
18 those are important. So I really don't have any trouble
19 funding the first one.

20 The second one I would like to ask the question.
21 One's going to provide a playground surface but also a
22 recycled tire exhibit. I mean, how much is going for the
23 playground cover and how much is going towards the tire
24 exhibit?

25 RECYCLING TECHNOLOGIES BRANCH MANAGER ORR: I'm

1 not sure that I have that level of detail in terms of the
2 files that we have here. That's the San Luis Obispo one.

3 COMMITTEE MEMBER PEACE: With the playground
4 cover and the tire exhibit, that's coming to \$36.79 a
5 tire.

6 DEPUTY DIRECTOR WOHL: Maybe while Bill's looking
7 I can make a general comment. And that is, I'd agree with
8 you. This is not the Sustainable Building Grant Program
9 we wanted it to be. In fact, it functioned much better
10 when it was IWMA dollars, because that truly was a
11 wholistic view of a building and we had much better
12 projects. And this has probably been the -- I think in
13 the past we've either had split funding or this has
14 probably been the most disappointing.

15 But even given that, I think we are diverting
16 tires. And, you know, this is tire money that's being
17 spent in a similar way. In some situations we do it
18 because they also have limited resources and it's a
19 project that we have some expertise in for green building.
20 But it hasn't turned out to be the products that we hoped
21 it would be either.

22 COMMITTEE MEMBER PEACE: I know in the Five-Year
23 Plan we did put a lump sum of money into IWMA market
24 development things, whether it's the Trade Show, CalMAX.
25 And I think we're going to have to really look carefully

1 at that and see if we want to continue to do this if there
2 is not an IWMA grant to go along with it.

3 I think also we need to get the studies from the
4 emissions report for the indoor projects, too, before we
5 start pushing some of those things. And unless we get
6 some sort of a match or really change the scoring criteria
7 that follows a more strict interpretation of sustainable
8 building products, that we might not do this next time.

9 RECYCLING TECHNOLOGIES BRANCH MANAGER ORR: I did
10 look, and I don't have the breakdown between those
11 different components in terms of the exhibit versus the
12 playground. So I'll have to go back and look at the grant
13 files and get a breakdown of that for you.

14 Just to add to what you just indicated and what
15 Patty was saying, this is the very first time that we've
16 done a tire dollar only solicitation. In the last couple
17 of years, we've actually entered into interagency
18 agreements with the Youth Authority and Corrections
19 entities and the Parks and Recreation that we knew had the
20 potential for using tires in various state applications.
21 We felt that things had moved along far enough that it was
22 worth doing an open solicitation this year, and we are
23 disappointed.

24 On the other hand, it's probably worth noting
25 that the direct grant that the Board gave to the civilian

1 Conservation Corps, the California Conservation Corps,
2 they did not apply for this money. So you know, I think
3 that there are a variety of back doors where people
4 sometimes may say, oh, well, we don't have to be
5 constrained by the competitive process. So we've had
6 several instances over the years where people have come in
7 and gotten additional allocations of money.

8 Another time that happened was with the East End
9 Project where there was a direct application made for
10 that. So there is a need out there, and there are State
11 and local projects that are available. I think that we
12 can look at revising the criteria to make sure that we
13 don't have duplication with other grant proposals, other
14 grant programs.

15 The other thing is what we've been trying to do
16 is leverage green building programs with tire dollars.
17 And we built that into the preference criteria this year.
18 And what we're finding is probably one out of the four
19 projects here did a good job of that. And I think the
20 next cycle we need to improve that. One possibility might
21 be removing the cap on the individual projects so that we
22 fund bigger projects where there could be a larger impact.

23 So we have a variety of ideas on how to refine
24 the criteria and how we can specify things to eliminate
25 that duplication in terms of the eligible and ineligible

1 projects. So I think that's something that we can
2 address.

3 CHAIRPERSON MARIN: I think you just hit it on
4 the nail. I think we do need to take a step back and say
5 this particular -- you know, in a place where we have so
6 many grants, one of them for whatever reason is not going
7 to work, and it's okay. We tried it. It didn't work.
8 Well, let's try something else. It doesn't mean that
9 anyone in particular didn't do a good job. It doesn't.
10 It's just that sometimes we engage in efforts that are not
11 fruitful, and it's okay.

12 We shouldn't be afraid to fail. You know, we
13 should go out there and know that we're going to be
14 successful. And sometimes we are not going to be
15 successful. And I want to make sure that everybody is
16 okay. Nobody is going to be punished for this. It was an
17 idea that was just not there.

18 I can tell you that as much as I would love to
19 have the money for all of this, it's not doing what it was
20 intended to do. You know, the San Luis Obispo Children's
21 Museum, that's going to be \$40 a tire, you know, by the
22 time -- if you just do the math. We can't justify that.
23 It's a good thing, but it really doesn't advance what
24 we're attempting to do.

25 The Community Park Facilities and City of

1 Ontario, they can apply at the next grant level with, you
2 know, the Playground Grants.

3 The only one that I would actually fund under
4 this, given the guidelines, would be the Eldorado County.
5 They're using tires in a different setting, and it's for a
6 purpose that it's within a building and so forth. That,
7 to me, is the only one that advances the purposes of the
8 original intent.

9 I have no problem saying yes to this one, no to
10 the other ones. When the Tire Grants are available, they
11 should apply for those. That would be my recommendation.
12 But I'm really going to defer to the Chair of the Tire
13 Program. I said that, and I'm going to be quiet now.

14 COMMITTEE MEMBER PEACE: Well, you know what? I
15 kind of agree with you on some of these things. We have
16 some choices here. We can approve them all. We can
17 approve just some of them, or we can move it to the full
18 Board.

19 I guess when I look at these and I see the first
20 one, it is going for a playground cover, but it's also
21 going for some rubber flooring. Even if they would have
22 applied for it under the other grant program, the tire
23 playground, it would have been funded. So I can say
24 that's a good one. I can go with that. With \$5.93 a
25 tire, that's good use of the Tire Funds.

1 The next one, you know, I have a real hard time
2 with this --

3 CHIEF COUNSEL CARTER: Excuse me. I'm sorry for
4 interrupting you. Marie Carter, Chief Counsel.

5 Before we go too far down this line, the way the
6 grant awards are set up, the Board can award all of the
7 grants that are eligible or none of the grants.
8 Unfortunately, the Board under this system doesn't have
9 the ability to pick and choose among them. This was a
10 competitive process. The Board does not have to award.
11 But the Board does have to award all of them if the Board
12 decides to award any.

13 CHAIRPERSON MARIN: Really? I did not know that.

14 COMMITTEE MEMBER WASHINGTON: So if we made a
15 choice and we went out to bid or sent out a bid for these
16 grants, if we found one that we feel fit that criteria, we
17 can't fund that without funding the rest of them?

18 CHIEF COUNSEL CARTER: The Board passed on the
19 criteria for this grant several months ago, many months
20 ago. And based --

21 COMMITTEE MEMBER WASHINGTON: All these meet that
22 criteria.

23 CHIEF COUNSEL CARTER: All of them meet it. All
24 of them passed. All of them are eligible based on the
25 Board-approved criteria. It's at the point of approval of

1 criteria and evaluation that the Board can impact the
2 selection.

3 COMMITTEE MEMBER PEACE: I guess I can understand
4 that if we had like 50 of them that applied and we're
5 going to pick and choose. But aren't these like the only
6 ones that applied and were qualified and passed?

7 DEPUTY DIRECTOR WOHL: No. We had six, and one
8 didn't score high enough and one was disqualified.

9 COMMITTEE MEMBER PEACE: So there's just one
10 that's not on this list?

11 DEPUTY DIRECTOR WOHL: Yeah.

12 We can also give you some information on the City
13 of Monterey Park project, because we do see how this might
14 tie to the public affairs effort. And we've had some
15 conversation with them. Maybe that will help your
16 discussion.

17 RECYCLING TECHNOLOGIES BRANCH MANAGER ORR: In
18 regard to the Monterey Park and particularly the
19 trilingual project, we have contacted the Public Affairs
20 Department of our Board. And they think it's a wonderful
21 opportunity to dovetail between the Monterey Park project
22 and the upcoming recycling materials marketing contract.
23 They really feel it would be a nice local compliment to
24 the overall marketing strategy and that the materials that
25 they will be developing as part of this project could be a

1 helpful resource or part of our tool kit. Their
2 recommendation is that we have an early conference call
3 with the City of Monterey Park and our contractor that
4 will ultimately be selected on June 20th to discuss
5 coordination. So they feel like it is a good fit with our
6 larger marketing efforts.

7 COMMITTEE MEMBER PEACE: I guess the problem I
8 have with that when it says it's going to get the message
9 out to the general population regarding the purchasing and
10 use of waste tire products, what kind of waste tire
11 product are there out there right now that the general
12 public can even purchase, other than like mulch?

13 RECYCLING TECHNOLOGIES BRANCH MANAGER ORR: There
14 are a variety of products. One of the ones we saw
15 exhibited at our recent Recycled Product Trade Show, there
16 are the tree rings that go around basically to keep weeds
17 from growing at the base of trees. That's one that's a
18 landscaping product that can be utilized by homeowners.

19 COMMITTEE MEMBER PEACE: Can I buy that at Home
20 Depot or something like that?

21 RECYCLING TECHNOLOGIES BRANCH MANAGER ORR: Yes.
22 There's a variety of gardening catalogs that you can
23 purchase those through. There are also bender boards and
24 other types of products like that that are made with the
25 tire components, and the mulch that you mentioned earlier.

1 So those are a few for landscaping purposes.

2 In terms of interior products, there are some
3 floor mats. The ADA access ramps can be purchased by
4 homeowners. For example, you may have seen the article in
5 Sunday's Sacramento Bee about the upcoming -- the current
6 design competition, and Van Duerr Industries is an example
7 of something that I personally have looked at getting an
8 ADA ramp for my own home. And that's the kind of product
9 that would be available for home consumers as well.

10 CHAIRPERSON MARIN: What I'm going to do is move
11 this item to the Board. Let's give us some time. I need
12 to understand what Marie -- I know what you said. I need
13 to understand it very fully, because this has implications
14 for far many other things. And we need to make sure
15 that -- I don't think anybody knew that. You've been here
16 for three years and never knew that. You've been here for
17 two years. So I think that understanding this will clear
18 a lot of things. So we'll just move this to the Board
19 without recommendation.

20 The next item would be -- I would say I'm going
21 to try to get us -- I'm going to try really hard, but we
22 may not be able to finish. But 12:30, a little bit before
23 that.

24 Thank you, Patty.

25 Now Mr. Pat.

1 DEPUTY DIRECTOR SCHIAVO: Good morning. Pat
2 Schiavo, Diversion, Planning, and Local Assistance
3 Division. I'll go over a few things real briefly.

4 Just to give you an update, the waste
5 characterization effort is starting for the summer season
6 this June, so all four components will be researched
7 shortly.

8 Two weeks ago, we had a very successful Single
9 Stream Workshop. We had 176 registered people who
10 actually attended. We had several others who got
11 frustrated with the registration line and just kind of
12 came in, and the room was overflowing. A lot of good
13 useful information. And I've heard a lot of positive
14 things from people who attended.

15 It's kind of interesting, because the room says
16 it holds 400. But we had less than 200, and we were
17 overflowing. I think we need to do a reassessment of our
18 sign out there.

19 Regarding AB 75, our State agency program, of the
20 405 State agencies, we've had 348 reports that have been
21 submitted to date. And we have several others, 42, that
22 are working on completing their applications to us
23 regarding the progress. And then there's still 15
24 agencies that have yet to start on their applications
25 regarding their progress. So we're going to be working

1 closely with them to get that completed. So we've had
2 good progress there.

3 In our continuing efforts to meet with local
4 jurisdictions, and especially the faster growing
5 communities, we had the one meeting I mentioned previously
6 regarding San Bernardino. We're going to be meeting
7 within the next month with Orange County, Riverside
8 County, and San Diego stretching through the first part of
9 July months to meet with those cities within those
10 counties. Then we'll come up with an assessment of what
11 the needs are and then work forward from there regarding
12 future technical assistance needs for those communities.

13 And one other thing regarding the disposal
14 reporting regulations. They got inputted late into BAWDS,
15 which is the bad thing. The good thing is nothing has
16 changed regarding what is in the regs. It's still the
17 same that was sent out to everybody. There were no
18 changes that were made during the 15-day regulatory
19 process.

20 So that concludes my report.

21 CHAIRPERSON MARIN: Okay. Any questions for Pat?
22 No. Okay.

23 Go ahead. First item.

24 DEPUTY DIRECTOR SCHIAVO: First item is Committee
25 Item H, and this is Consideration of a Revised SB1066 Time

1 Extension Application by the City of Fresno, Fresno
2 County. And Terri Edwards will present this item.

3 CHAIRPERSON MARIN: Thank you, Terri.

4 MS. EDWARDS: Good morning, Chairman and
5 Committee members.

6 The City of Fresno has requested a 1066 time
7 extension through December 31st, 2005. The item was
8 originally heard at the May 2nd, 2005, Sustainability and
9 Market Development Committee meeting. And based on
10 discussion and testimony at this meeting and the May 11th,
11 2005, Board meeting, the Board determined that the City
12 should submit a revised Plan of Correction reflecting
13 discussion at the May meetings for presentation at the
14 June meeting and Board meetings.

15 The Board also made a recommendation for the
16 implementation of alternative programs that it believed
17 the jurisdiction should add for their new Plan of
18 Correction to be successful.

19 Specific reasons why the City needs a time
20 extension are: To realize full diversion impact from the
21 residential curbside recycling and green waste programs,
22 both of which were implemented as part of the City's first
23 time extension request; to complete the remaining waste
24 assessments for the business sector in the City; establish
25 new service accounts; and to enact a C&D ordinance.

1 Per discussion and Committee direction, the City
2 has submitted to the Board a revised Plan of Correction
3 which moves up the completion date for the approval of the
4 C&D ordinance, as well as the Generation Study. In
5 addition, the City has included an additional program to
6 enact a mandatory commercial recycling ordinance. The
7 City anticipates a 21.5 percent increase in its diversion
8 rate with the implementation of program enhancements
9 described in the revised time extension application as
10 well as diversion potential left to be realized from the
11 first time extension.

12 Board staff has determined that the information
13 submitted in the application is adequately documented.
14 Based on this information, Board staff is recommending the
15 Board approve the City's time extension request.

16 A city representative is available to answer any
17 questions. And this concludes my presentation. Thank
18 you.

19 CHAIRPERSON MARIN: Thank you.

20 Who's here from the City of Fresno?

21 MR. SKINNER: Good morning. I'm William Skinner.
22 I'm the Interim Solid Waste Division Manager for the City
23 of Fresno.

24 CHAIRPERSON MARIN: Okay. What was your name?

25 MR. SKINNER: William Skinner.

1 CHAIRPERSON MARIN: Your City Manager came before
2 our Board meeting in Orange County, and he told us that
3 they were going to move really, really fast on the C&D
4 ordinance and so forth and --

5 MR. SKINNER: Yeah. Actually, the C&D ordinance
6 was presented to the City Council this morning and has
7 been approved as of probably about an hour and a half ago.

8 The remaining items on that are we have to get
9 the ordinance approved first. They'll have a second
10 reading next week and then start the process into our
11 master fee schedule, which has to go through public
12 documentation, through the newspaper, and those types of
13 things to get the fee schedule changed. There's two new
14 fees that will be part of that for the City, the building
15 permit fee and then a hauler fee. Plus, we have to have
16 some time to get the local companies certified as
17 certified recycling centers to be able to accept the
18 material. That part is moving forward very quickly.

19 CHAIRPERSON MARIN: And then your commercial --
20 he also told us about your commercial.

21 MR. SKINNER: Right. The draft ordinance of that
22 will be completed by my staff by the end of this month and
23 will be submitted to the City Attorney's Office for their
24 review and then to the Council for approval by the Council
25 by the end of August. But that part is moving forward as

1 well. And we clearly appreciate the Board's willingness
2 to work with us and Terri's help as well.

3 CHAIRPERSON MARIN: Thank you, Terri.

4 Okay. Any further questions?

5 Well, we're very encouraged by the City of
6 Fresno's latest efforts in trying to update their desire
7 to help us with our mandate as well.

8 MR. SKINNER: It was a wake-up call for us, too,
9 so we appreciate it.

10 COMMITTEE MEMBER WASHINGTON: You guys almost had
11 me ready to go camp out in Fresno.

12 MR. SKINNER: We welcome you to come down any
13 time.

14 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
15 like to move adoption of Resolution 2005-161.

16 COMMITTEE MEMBER PEACE: Second.

17 CHAIRPERSON MARIN: Moved by Mr. Washington,
18 seconded by Ms. Peace. Without objection, we'll
19 substitute the previous roll call.

20 And we'll have this on consent for the Board
21 meeting.

22 You won't need to show up at the Board meeting.

23 MR. SKINNER: Thank you.

24 CHAIRPERSON MARIN: Unless Terri wants you there.

25 Thank you.

1 DEPUTY DIRECTOR SCHIAVO: Terri will also present
2 Item 14, which is Consideration of the Amended Nondisposal
3 Facility Element for the Unincorporated Area of Santa Cruz
4 County.

5 MS. EDWARDS: Chairman and Committee members,
6 Santa Cruz Unincorporated is amending its nondisposal
7 facility element by identifying and describing an
8 expansion to the Buena Vista Landfill and Ben Lomond
9 Transfer Facilities. Both are existing facilities.

10 For the Buena Vista Landfill, the County is
11 identifying and describing its C&D line, chipping and
12 grinding, and compost research operations. For the Ben
13 Lomond Transfer Station, the County is identifying and
14 describing its chipping and grinding operation.

15 The Permits and Enforcement Division will be
16 presenting an agenda item for the proposed permit for the
17 new facility in the future.

18 The County has submitted all required
19 documentation for these facilities. And, therefore, staff
20 recommends approval of this amendment to Santa Cruz
21 Unincorporated's NDFE.

22 This concludes my presentation. Thank you.

23 CHAIRPERSON MARIN: Any questions on this item?

24 No questions.

25 COMMITTEE MEMBER PEACE: I'd like to move

1 Resolution 2005-134.

2 CHAIRPERSON MARIN: Was there anybody from the
3 City of Santa Cruz here?

4 MS. EDWARDS: Dan deGrassi.

5 CHAIRPERSON MARIN: Please come forward. We like
6 to make it worthwhile coming to the Board. At least say
7 hello to us, and want to thank you for being here.

8 Do you want to tell us a little bit about your
9 great efforts?

10 MR. DE GRASSI: We are planning to begin a food
11 waste composting program in the fall. And in addition to
12 that, we've already instituted the C&D line. Chipping and
13 grinding has been going on for a number of years, actually
14 since the late '80s.

15 In two weeks, our Board will be adopting -- or
16 considering the final adoption of an ordinance to ban
17 about close to two dozen materials from landfill disposal,
18 recyclable materials. In addition, the ordinance will
19 basically require recycling by all commercial and
20 residential establishments. Probably in August, they will
21 be considering an amendment to an already adopted
22 Resolution which establishes a zero waste goal. And this
23 amendment will establish a goal of 75 percent diversion by
24 the year 2010. So we are at 54 percent right now, at
25 least according to the 2003 annual report. And we're

1 definitely making every effort we can to get up to the
2 top.

3 CHAIRPERSON MARIN: Thank you very, very much. I
4 really appreciate it.

5 You know, I tell every jurisdiction that we want
6 you to succeed so bad. Because when you succeed, we
7 succeed. So go out there and do a good job.

8 MR. DE GRASSI: Thank you.

9 CHAIRPERSON MARIN: I get from your tone you
10 disagree you're at 54 percent. You think you're higher?
11 Yeah.

12 MR. DE GRASSI: It's numbers.

13 CHAIRPERSON MARIN: Well, we want you to reach
14 75.

15 MR. DE GRASSI: We will.

16 CHAIRPERSON MARIN: Thank you very much.

17 Was there a motion?

18 COMMITTEE MEMBER PEACE: I'd like to move
19 Resolution 2005-134.

20 COMMITTEE MEMBER WASHINGTON: Second.

21 CHAIRPERSON MARIN: Moved and seconded.

22 Without objection, we'll move to the next item.

23 DEPUTY DIRECTOR SCHIAVO: Item 15 is
24 Consideration of a Second Time Extension Application by
25 several jurisdictions, including Glendora, Lawndale,

1 Palmdale, City of San Gabriel, City of San Marino, and
2 City of Santa Clarita, all in Los Angeles County. And
3 this will be presented by Steve Uselton.

4 CHAIRPERSON MARIN: Hi, Steve.

5 LOS ANGELES ASSISTANCE SECTION SUPERVISOR

6 USELTON: Good morning, Committee members.

7 The Cities listed within the item are all located
8 within the Los Angeles County area. And each jurisdiction
9 has requested a second SB1066 time extension through
10 December 31st, 2005. The reasons for requesting
11 additional time are as follows.

12 The City of Glendora needs more time to monitor
13 the results of its C&D ordinance, which was put into
14 effect in February of this year.

15 The City of Lawndale needs more time to closely
16 monitor its hauler's residential diversion performance in
17 order to prevent contamination problems that were
18 experienced early in the program. They also need time for
19 implementing a commercial and multi-family diversion
20 program by contracting with a recycling firm to provide
21 free recycling and recycling minimum of 1,000 tons per
22 year through that program. They would like to increase
23 waste that they deliver to a waste-to-energy facility to
24 maximize their transformation credit.

25 The City of Palmdale will need additional time to

1 work with businesses to transition to a commingled
2 collection program from its existing fiber-only source
3 separation program. The City will continue on-site visits
4 to encourage businesses to set up recycling programs and
5 let existing customers know they can now recycle more
6 items in these collection bins. They also want to monitor
7 results of a curbside green waste program that was
8 implemented in October of 2004 and to develop and
9 implement an appropriate construction and demolition waste
10 recycling policy with procedures and/or an ordinance to
11 address waste generated by the construction boom
12 experienced in the northern areas of Los Angeles County,
13 including Palmdale.

14 The City has recently initiated a roll-off box
15 diversion program in which construction and demolition
16 loads are transported to a C&D facility in the City of
17 Los Angeles. And this is actually a pilot to test what
18 their program should look like before preparing a formal
19 ordinance of policy.

20 The City of San Gabriel needs more time to renew
21 its waste-to-energy program, once it realized that an
22 additional new sorting line that was added to its MRF
23 during the first time extension could not divert as much
24 material as had been anticipated. And they had eliminated
25 certain amounts of transformation thinking that this MRF

1 sorting line would give them the results they needed.

2 Since recognizing this deficiency, the City has
3 immediately began sending additional waste to a
4 transformation facility and continues to operate the
5 additional sorting line.

6 They also wish to implement a street sweeping
7 diversion program and adopt an ordinance for the diversion
8 for C&D debris from specified construction and demolition
9 projects within the city. And, currently, it is a
10 franchise city where the roll-off boxes are being handled
11 by the franchise hauler and are brought to a MRF and, you
12 know, construction materials are being sorted. But the
13 City wants to gain even more control over private haulers
14 that are also operating within the city.

15 The City of San Marino needs more time to adopt
16 and implement an ordinance that requires a 50 percent
17 diversion of material collected from covered projects.
18 And they wish to draft a C&D ordinance that has currently
19 been presented to the City Attorney and is currently
20 waiting for final review and presentation to the City
21 Council.

22 And, lastly, the City of Santa Clarita, they need
23 the time to provide outreach to businesses to encourage
24 new recycling accounts with their new free commingled
25 recycling program that started in August of 2004. And

1 until the materials recovery facility that is planned for
2 construction is fully built, they have negotiated an
3 agreement with their hauler to take 300 tons of commercial
4 waste per week to an existing MRF located some distance
5 from the city.

6 The City will also establish an ordinance
7 requiring the diversion of construction and demolition
8 debris at its first reading. That ordinance has been
9 planned for this month. They will begin implementation of
10 several programs to improve the curbside recycling and
11 green waste collection. And these will be completed after
12 the time extension period based on the contract they
13 recently negotiated with a new waste hauler. However, the
14 new franchise hauler has already started delivering bins
15 earlier than the contracted implementation schedule in
16 working with the City.

17 Board staff has determined that the information
18 submitted in the applications has been adequately
19 documented and recommends the Board approve the time
20 extension requests for these cities. This would conclude
21 my presentation.

22 Both the City and Board staff are available to
23 answer questions. We have representatives from all of the
24 cities, except San Marino. They did apologize they did
25 not have a staff person that they could schedule to

1 attend.

2 CHAIRPERSON MARIN: Well, I was going to say when
3 you look at their 2003, and that's the last figure that I
4 have, San Marino is the one that was doing the poorest at
5 30 percent.

6 COMMITTEE MEMBER PEACE: Exactly. That's the
7 question I had, too. Out of this group, they're doing the
8 poorest. Here, we have a statewide diversion rate of 40
9 percent, and they're at 30 percent. So they have the
10 lowest diversion rate, yet they had the highest income of
11 any group. They should be embarrassed.

12 CHAIRPERSON MARIN: We're going to have them come
13 to the Board meeting. We're going to ask them to come to
14 the Board meeting.

15 Now, all the other cities, let me ask, is
16 somebody from the City of Glendora here? Nobody from the
17 City of Glendora? Going once.

18 We'll ask the City of Glendora to be here as well
19 at the Board meeting.

20 Anybody from the City of Lawndale? Please come
21 forward.

22 MS. COLLINS: Good morning.

23 CHAIRPERSON MARIN: How are you? Your figure
24 here that we have before us is 37 percent. And how much
25 time do you need to get it at least 50 percent?

1 MS. COLLINS: Well, we've been making tremendous
2 progress --

3 CHAIRPERSON MARIN: Your name? I'm sorry.

4 MS. COLLINS: I'm Susan Collins from Hilton
5 Farnkopf & Hobson.

6 To start with, the diversion rates -- before the
7 diversion rate dropped, the two years before that the City
8 had diversion rates of 47 percent and 44 percent. So when
9 the diversion rate did drop into the low 30s, it was a big
10 surprise for the City. But the City moved into action and
11 established a new residential contract, which started in
12 2003.

13 And during the first year of that contract, as
14 Steve mentioned, we were not pleased with the performance,
15 the residential diversion, but were thrilled that in 2003
16 while the residential diversion number was 16 percent, it
17 was 40 percent for 2004. So by paying close attention to
18 that number, we were able to bring that number up. And
19 then when the figures came out in 2004 indicating that the
20 2002 diversion rate was also low, the City Public Works
21 Director used AB 939 funds within the City to negotiate
22 with the hauler to start taking waste to a transformation
23 facility in advance of the schedule.

24 So we actually took 7 percent of the City's waste
25 to transformation in 2004. So, theoretically, that would

1 get us from 37 percent, plus 7, to 44 percent for 2004.
2 And then a rate increase went into effect in the
3 residential sector to bring the transformation to the full
4 10 percent allowable. So, again, theoretically, the
5 diversion rate for 2005 would be 37 percent plus the full
6 10, which would get you to 47 percent. And those are the
7 biggest programs, the easiest to implement.

8 We're working on all the other numbers, too, the
9 residential. And right now we're working on the
10 commercial recycling contract. So we're keeping our
11 fingers crossed and watching the numbers every month,
12 every quarter when new disposal numbers are available.
13 Steve's probably tired of our office consistently asking
14 for disposal reporting system numbers. But we're doing
15 our best to get it to 50 percent by the end of the year.

16 CHAIRPERSON MARIN: Okay, Ms. Collins. We'll
17 take your word for it, and we'll be watching you as well.

18 COMMITTEE MEMBER WASHINGTON: How is your
19 relationship with your haulers?

20 MS. COLLINS: We're watching the numbers every
21 month. The City of Lawndale has, again, struggled with
22 the residential recycling and diversion performance, and
23 that's why we are watching those numbers every month.

24 And the City of Lawndale is tiny. We have nine
25 haulers in the commercial sector and another about 30

1 illegal haulers that the City Code Enforcement is
2 consistently throwing out of the city threatening to
3 confiscate bins.

4 The City did issue a five-year notice a year and
5 a half ago to -- the five-year notice is a notice to issue
6 an exclusive franchise in the commercial sector. Because
7 in a little tiny city like that, dealing with nine haulers
8 in the commercial sector is really unwieldy and very, very
9 difficult for us to implement diversion programs in that
10 sector, which is why we chose to go with a separate
11 commercial recycling contract so we would have one
12 recycling program and not cause a great deal of confusion
13 by having nine separate in the commercial and multi-family
14 sector.

15 CHAIRPERSON MARIN: I used to be the Mayor of the
16 City of Huntington Park, which is even smaller than
17 Lawndale is. We understood that there were illegal trucks
18 coming in, especially in the commercial area. We had
19 strong enforcement, code enforcement.

20 I certainly suggest that your efforts in that
21 area really increase. Because aside from the numbers
22 where they really muddy up the waters with your numbers,
23 the reality is the more trucks coming in the streets, you
24 know, it's that many more trucks coming onto the streets
25 in that small city. So it has more repercussions, not

1 just the air, but the pavement. You have more trucks
2 coming in and around the very small city, nine times as
3 many. So I would strongly suggest that you go back to
4 your Council.

5 You're probably the consultant for them; right?

6 MS. COLLINS: Absolutely. And after the
7 challenges we faced, we said if we can do it in Lawndale,
8 we can do it anywhere.

9 CHAIRPERSON MARIN: That's right. Well, just as
10 you are watching the numbers, we will be watching you. So
11 thank you for coming.

12 Any other questions?

13 COMMITTEE MEMBER PEACE: Is construction and
14 demolition a problem in your city?

15 MS. COLLINS: You know, we haven't taken a really
16 close look at the disposal number in the couple of years
17 we've been working the programs. But we did a full
18 analysis in 2001, because 2000 was the first year we saw
19 the drop. It went down to 32 percent. And so we did a
20 full analysis of all of the disposal records. And at that
21 time, we found that construction and demolition debris was
22 less than 1 percent of the waste stream. So we have
23 construction and demolition debris ordinance on the list
24 of things to do, but it's not at the top of the list.
25 It's, you know, prioritized further down, because we have

1 to address these other bigger issues first.

2 COMMITTEE MEMBER PEACE: Do you have a recycled
3 content procurement policy?

4 MS. COLLINS: Absolutely. One of the terrific
5 things that happened in the last couple of years is that
6 the City of Lawndale repaved a huge section of Hawthorne
7 Boulevard, did a big redevelopment project there. And I
8 don't have the number off the top of my head, but it's in
9 our annual report. The number of tires -- thousands of
10 tires were used to repave that street. And then there's
11 all the other smaller ticket items like paper and, you
12 know, used oil and stuff like that. But the tires was the
13 real big ticket item in terms of recycled content.

14 CHAIRPERSON MARIN: Good. We'd like you to use
15 more of that, and there are grants available for that.

16 MS. COLLINS: They love that street.

17 CHAIRPERSON MARIN: Are you the consultant for
18 any other city?

19 MS. COLLINS: No.

20 CHAIRPERSON MARIN: The City of Palmdale, anybody
21 from the City of Palmdale, please come forward.

22 Thank you very much for being here. Your name?

23 MS. PLUMMER: You're welcome. Donna Plummer.
24 I'm the Senior Analyst with the City of Palmdale and the
25 Recycling and Solid Waste Coordinator.

1 CHAIRPERSON MARIN: Ms. Plummer, can you tell us
2 how you're going to meet your mandate?

3 MS. PLUMMER: Yes. We've got some programs
4 together that I think that will help us achieve this goal
5 by the end of 2005. As Steve had mentioned, we are
6 looking very closely at our green waste program that we
7 implemented last midyear of '04. And we're very pleased
8 to see the numbers. In five months, from August to the
9 end of '04, we diverted 3,800 tons of green waste. And
10 then to date now, we have a little over 5,000, with the
11 conservative estimate of about 10,000, tons a year just on
12 our green waste. The City of Palmdale is just growing,
13 and our residential numbers are huge compared --

14 CHAIRPERSON MARIN: And you do have a C&D
15 ordinance; right?

16 MS. PLUMMER: We don't have an ordinance in
17 place. What we do have -- if I could just back up a
18 little bit to talk a little bit about Palmdale itself.

19 As I mentioned, it's an extremely fast growing
20 place. It's the second largest or fastest growing city in
21 L.A. County at about 4.1 percent this year. And we have a
22 lot of housing, commercial, and redevelopment projects
23 that are online. And the City is very sensitive to
24 developing and maintaining really good relationships with
25 these developers, especially since its neighboring city,

1 Lancaster, is equally competitive in trying to bring the
2 same businesses. It's one city or the other. And we're
3 always vying.

4 What we try to do is develop good relationships
5 with our developers. Part of that is instead of
6 developing an ordinance right off the bat, what we would
7 like to do is develop a voluntary program to get them
8 involved. And we started a pilot program in February.

9 I do have to say that our waste hauler is Waste
10 Management. It's an exclusive franchise. And we have an
11 excellent relationship with them. And so in working with
12 them on a voluntary basis since February, within those
13 three months we've diverted 800 tons of C&D material. So
14 we're looking at some very positive things. And then if
15 we can evaluate that and then develop a policy by the end
16 of summer, mid- to end of summer, then we feel that it's a
17 win-win situation where we're diverting the C&D, and yet
18 we're still retaining a really good relationship with our
19 developers.

20 CHAIRPERSON MARIN: You know, this Board would
21 really prefer to see that as an ordinance. We appreciate
22 the situation. It's a delicate situation that you have.
23 But we do know that an ordinance enables you and gives you
24 the tool to enforce that. Because at the end of the day,
25 you may have a wonderful relationship with your

1 developers. But if we're going to fine you \$10,000 a day,
2 that relationship will go sour really fast.

3 MS. PLUMMER: Sure. The City does understand the
4 intent of the Board for the C&D ordinance. And we will go
5 in that direction, if given the fact that this policy
6 doesn't work. But what we'd like to do is establish this
7 policy and see that it works, because I really feel with
8 this exclusive, you know, franchise with Waste Management
9 we can obtain that.

10 CHAIRPERSON MARIN: And, you know, we work with
11 Waste Management. They know what they're doing. They do
12 a very, very good job. We just want you to know, you
13 know, we have a mandate. You understand that what you do
14 impacts our mandate. Our mandate is to reach 50 percent.
15 I want to take it more than that. But if cities, for
16 whatever reason, they can't meet their mandate, then we
17 don't meet our mandate.

18 What we do know is that cities that are
19 successful in meeting their mandate, one of the things
20 they have in place along with the infrastructure --
21 because we also know that some cities have had the
22 ordinance, but there was no infrastructure. They didn't
23 have anywhere to take the construction and demolition
24 materials. So, you know, we appreciate that. But we know
25 that the cities that have been very successful have a C&D

1 ordinance, and that's why we like to see that.

2 MS. PLUMMER: Sure. And, of course, the C&D,
3 we're focusing on that right now. But we're looking at
4 overall programing. And we're not just looking at trying
5 to obtain a 50 percent level. We are paying attention to
6 numbers, but we're really paying attention to program
7 development to try to get us above that.

8 CHAIRPERSON MARIN: Excellent. Excellent.

9 Ms. Peace.

10 COMMITTEE MEMBER PEACE: Isn't it the Board --
11 don't we set the Plan of Correction? So if we wanted to
12 see a policy in ordinance, we would put that in the Plan
13 of Correction? And it doesn't say that. This says
14 they're going to have procedures and/or an ordinance. So
15 why do we think it wasn't that important then to ask
16 Palmdale to come up with an ordinance or a C&D policy,
17 where we did have that in the Plan of Correction for some
18 of the other cities? Why do you think it wasn't that
19 important here?

20 LOS ANGELES ASSISTANCE SECTION SUPERVISOR
21 USELTON: When we get the application from the City, it
22 really is their application. It's based off what they
23 feel they can get done, but it also has to meet our
24 standard. Is this something that's going to enable the
25 jurisdiction to meet the requirement?

1 As the recycling coordinator pointed out, it's a
2 very competitive atmosphere for the growth and who gets
3 the growth out in the north county area.

4 I guess one of the good things that is happening
5 that we've been checking on is the franchise hauler that
6 operates for both of the major cities out there has
7 rapidly instituted a system to bring roll-off boxes back
8 into the L.A. County area where they're going to a C&D
9 diversion facility and an 80 percent capture rate at that
10 facility.

11 So we do see that the program is happening. We
12 do want to continue to encourage them to take this further
13 to adopt an ordinance or at least a policy that requires
14 the use of the franchise hauler. But without having a
15 requirement that they must have a C&D ordinance, we feel
16 they are taking steps to address that particular sector of
17 their waste.

18 STAFF COUNSEL BLOCK: And let me go ahead and to
19 tag onto Steve's comments. In terms of the way the --

20 CHAIRPERSON MARIN: Who are you?

21 STAFF COUNSEL BLOCK: Elliot Block with the Legal
22 Office.

23 In terms of the way the SB1066 is set up, it is
24 the jurisdiction's choice as to how to build that Plan of
25 Correction to equal the number. The Board can make

1 recommendations. The Board can have discussions like
2 we're doing today and we have had with Fresno last month,
3 if we disagree it's going to get them there. But in the
4 absence of if we wanted to go through a regulatory process
5 and set some specific standards, there's not an absolute
6 requirement for certain things, such as a C&D ordinance.

7 COMMITTEE MEMBER PEACE: Also, do you have a
8 recycled content procurement policy?

9 MS. PLUMMER: Yes, we do. We have an actual
10 policy in our finance department that states use of
11 recycled products, all purchases of paper shall contain 50
12 to 100 percent recycled content, and vendors are
13 encouraged to ship using recycled materials. And also we
14 have within our public works maintenance department a very
15 active program to purchase products that are recycled
16 materials. And I have a huge list of, you know, those
17 type of products all the way from fluorescent lights to
18 new park equipment products to recycled rubber asphalt.
19 So we're very active in trying to purchase and close that
20 full circle.

21 COMMITTEE MEMBER PEACE: You see that I ask that
22 question a lot of everyone, not just you. I'm looking for
23 a commitment from all of our jurisdictions to buying
24 recycled product. Because it's the buying recycled
25 products that will pull the markets that will keep the

1 materials out of the landfill and back into useable
2 products.

3 MS. PLUMMER: We understand that.

4 COMMITTEE MEMBER PEACE: Thank you.

5 CHAIRPERSON MARIN: The only thing I would want
6 you to take back to your Council is staff recommends that
7 what you're proposing will get you to where we want you to
8 be. It is the preference of this Board that jurisdictions
9 adopt the policy for the C&D ordinance. That will be a
10 very desirable outcome, if you will.

11 MS. PLUMMER: And it's so noted. And I will
12 bring that to our City.

13 CHAIRPERSON MARIN: Now we believe, unlike with
14 other jurisdictions -- in this particular case, I guess
15 the assessment is that we're not there yet. You're not
16 required to do that. But it's still -- I just want you to
17 know it would be our preference.

18 Okay. Thank you.

19 MS. PLUMMER: Thank you.

20 COMMITTEE MEMBER PEACE: Madam Chair, if I could
21 ask another question before we get too far away from
22 Glendora. I realize they didn't have someone here. But
23 I'm wondering why they needed a second time extension to
24 begin with if they're at 51 percent.

25 LOS ANGELES ASSISTANCE SECTION SUPERVISOR

1 USELTON: Well, Glendora wanted a second time extension.
2 While we might not have agreed that that was necessary,
3 they felt that it would give them an opportunity to keep
4 this on track, on the ball. And we went ahead and honored
5 their request since they turned in the application.

6 They certainly have already implemented the C&D
7 ordinance that they promised to put in. And we do see
8 their overall diversion rate indicator looking good going
9 into 2004. We expect them to be able to meet the goal.
10 But they'd like to use this as a local tool to help kind
11 of keep the fire burning and have something documented
12 showing that maybe we're not there right now, but we have
13 a plan in place to get there.

14 COMMITTEE MEMBER PEACE: With that, Madam Chair,
15 I'm just wondering is it really necessary for them to
16 come?

17 CHAIRPERSON MARIN: That's fine.

18 COMMITTEE MEMBER PEACE: They won't need to come.

19 CHAIRPERSON MARIN: They won't need to come. But
20 San Marino will.

21 The next one is San Gabriel. For the other
22 cities, let me just tell you, the other cities do not need
23 to be here for our Board meeting.

24 City of San Gabriel.

25 MS. LEONARD: Good morning. My name is Michelle

1 Leonard. I'm with SCS Engineers. And I'm the consultant
2 to the City's hauler and to the City.

3 CHAIRPERSON MARIN: I think I met you at a
4 different site.

5 MS. LEONARD: Yes. We were out at IRS, the
6 construction and demolition. Good to see you again.

7 CHAIRPERSON MARIN: Thank you.

8 MS. LEONARD: Just very briefly, the City of San
9 Gabriel is a small city in the San Gabriel Valley just
10 south of Pasadena and San Marino.

11 The City has an exclusive franchise with Athens
12 Services for the collection of residential, commercial,
13 and all waste that's generated in the city. That's the
14 good news.

15 The bad news is that misreported origin of waste
16 continues to be a problem in the city to a tune of
17 probably 10 to 15 percent of the disposed waste stream.
18 And so because of that, the City is working towards
19 implementing a C&D ordinance. And that ordinance will go
20 to the City Council later this year.

21 We, SCS Engineers, and the hauler continuously
22 track the disposal reporting system and try to identify
23 those haulers that are collecting waste in the city that
24 should not be, as well as misreported origin. And each
25 year, we file that information with the annual report.

1 Like I said, that can be anywhere between 10 and 15
2 percent.

3 We're hoping that with the C&D ordinance we'll
4 capture about half of that and add about 4 percent to our
5 diversion rate. And the City's hauler has begun an
6 aggressive program to increase the amount of waste that's
7 taken to the waste-to-energy facility, and that will add
8 about 5, 5 1/2 percent to the diversion rate, which will
9 bring the City up to 50 percent diversion rate.

10 The other kind of exciting news is that many of
11 you may be familiar with Athens Services' attempt to
12 increase the capacity of their facility. And early in
13 May, the Los Angeles County Planning Commission did
14 indicate their intent to approve the increase. So that
15 will certainly help San Gabriel as well as other cities in
16 the San Gabriel Valley in terms of MRFing more materials.

17 CHAIRPERSON MARIN: When do you expect that the
18 C&D ordinance would be adopted?

19 MS. LEONARD: In the fall.

20 The City of San Gabriel is a very small city, has
21 a very small staff. That's why they asked me to come
22 today, because their City Engineer not only does waste,
23 but does everything else and wears many hats.

24 CHAIRPERSON MARIN: You know, there are
25 boilerplate ordinances.

1 MS. LEONARD: And we have provided many of both
2 the Board's model ordinance as well as ordinances that
3 have been adopted by other cities in the area and have
4 been working very aggressively to help them to get that
5 ordinance through the process.

6 CHAIRPERSON MARIN: I know the Mayor there, and I
7 know that the City of San Gabriel is very involved in the
8 L.A. Solid Waste Task Force, whatever it is. I'm sure
9 they would approve the ordinance much sooner than the fall
10 if you go back and let them know that that would be the
11 desire and the preference of this Board.

12 MS. LEONARD: I will certainly share that with
13 them.

14 CHAIRPERSON MARIN: Okay. Anything else?

15 COMMITTEE MEMBER PEACE: Do you have a recycled
16 content policy?

17 MS. LEONARD: Yes. The City does have a policy
18 to purchase as such as possible of materials that contain
19 recycled content.

20 COMMITTEE MEMBER PEACE: Can you tell me anything
21 that you buy that has recycled content other than paper or
22 toner cartridges?

23 MS. LEONARD: I believe that the public works --
24 I know they use re-refined oil for their vehicles as well
25 as tires. And I'm not -- those are the only two I can

1 think of.

2 LOS ANGELES ASSISTANCE SECTION SUPERVISOR

3 USELTON: We did ask this question directly of the City,
4 and the response came back the City continues and
5 encourages the public and businesses to buy recycled
6 through its outreach efforts utilizing the Department of
7 Conservation's Letter Grant and the Board's Used Oil
8 Recycling Grants. The City purchases a number of products
9 and materials containing pre-consumer and post-consumer
10 recycled content. All signs purchased by the City, for
11 instance, are composed of recycled metal and recycled
12 plastic, depending on the types of signage and usage. All
13 business cards purchased by the City are composed strictly
14 of post-consumer and recycled paper. And nearly all
15 aggregate used in road construction by the City is
16 recycled from its aggregate obtained from its own road
17 base demolition projects with inerts recycled by a City
18 contractor. In addition, all promotional products
19 obtained under the City's Used Oil Grant Program are
20 composed of recycled feedstock.

21 COMMITTEE MEMBER PEACE: Thank you. That's
22 great.

23 You said you had a lot of misreporting. Do you
24 think that daily reporting as proposed in our DRS regs
25 that are coming up would help that?

1 MS. LEONARD: Well, the issue in San Gabriel is
2 that it's surrounded almost completely by unincorporated
3 county area that's actually called San Gabriel
4 Unincorporated Area. And so what happens is haulers may
5 not even know if they're in the city or the
6 unincorporated, or they may go to the disposal facility
7 and just say San Gabriel. So that's primarily the issue.

8 I was asked to indicate that the date at this
9 point for the C&D ordinance is October 1st.

10 COMMITTEE MEMBER PEACE: Thank you.

11 CHAIRPERSON MARIN: Okay. See if you can move it
12 up.

13 The last one, but not the least one on this
14 batch, Santa Clarita. And your name?

15 MR. LANGE: I'm Travis Lange, the Environmental
16 Services Manager for the City of Santa Clarita.

17 CHAIRPERSON MARIN: Thank you. Travis, was it?

18 MR. LANGE: Yes, Travis.

19 I'm happy to say that we're taking our first
20 reading of the C&D ordinance to Council on June 14th and
21 the second on June 28th.

22 CHAIRPERSON MARIN: Okay. You can sit down now.
23 I'm kidding. Is that sending a message? No. I'm
24 kidding.

25 MR. LANGE: We had two workshops to discuss this

1 with developers and the haulers in town. We don't think
2 we're going to have a lot of opposition to it. We think
3 it's going to pass without any problems. It would go into
4 effect at the end of July. And we're going to have
5 follow-up workshops to make sure we're getting what we
6 want out of it.

7 We also have started -- our commercial hauler has
8 started doing mixed waste processing and has actually been
9 taking some loads down to Sun Valley. It's about a 20- or
10 30-minute drive. But we told them that whatever you can
11 do to make it happen, make it happen before the MRF goes
12 into place. Because the MRF has not been built yet, but
13 that is still on track to have happen -- the deadline did
14 get extended because the site that we picked -- that
15 Burrtec Waste Industries picked had issues, but that is
16 moving forward very well now that that has happened.

17 We also have a procurement policy. It's not been
18 in effect yet, though, I have to say. It's actually going
19 to our executive team within the next month. We worked
20 very closely with our purchasing to try and make sure that
21 we have as much requirements in there as possible. We are
22 already using things like recycled content for road base.
23 We're already talking to our director of engineering about
24 putting in specs and requirements for using recycled
25 concrete on private projects, not just city projects. And

1 we try to do that as such as possible.

2 And then all the programs that we've had put into
3 place because we just went out for an RFP. We started the
4 new commercial franchise August of 2004. The residential
5 will start April 2006. And with the commercial, we've
6 gotten it so that recycling is free. So that number of
7 businesses that have requested or gotten recycling bins,
8 because that service is free and they can lower the rate
9 they have trash taken off site, that has actually
10 increased every single month. We get a report from the
11 hauler, and that number has gone up. We also started a
12 green waste commercial recycling program that we didn't
13 have before.

14 And then some of the programs that were going to
15 go into effect April 2006 for the residential have
16 actually started now. We're going to be starting manure
17 within the next month hopefully. We have already gotten
18 the larger bins and seen about a 42 percent increase in
19 the recycling from the residential sector because of that.
20 And they've gone out to all homes. And we constantly meet
21 with the haulers every single month, and we're constantly
22 nagging them to find out what program that's supposed to
23 go into effect later can be done now.

24 CHAIRPERSON MARIN: Excellent. So you're pretty
25 comfortable that you'll be able to increase ten points?

1 MR. LANGE: Honestly, I won't be comfortable
2 until we're there. But yes. The plans we put into place
3 we're very comfortable with. And we don't feel like we've
4 left any stone unturned. And this has been given the top
5 priority from the very highest levels of the City and have
6 been given very direct direction this must happen.

7 COMMITTEE MEMBER WASHINGTON: It's very important
8 up that whole corridor, Madam Chair, going from the 405 to
9 Valencia to Magic Mountain and up that area. The
10 developing you guys are doing is so huge. So it's going
11 to be very critical to having those ordinances in place
12 and helping you guys out.

13 MR. LANGE: It's very critical. And a lot of
14 that development is going on on the outside in the
15 unincorporated area around us. We're very excited about
16 that happening.

17 One thing I forgot to mention is we're actually
18 going to have hopefully some of our last interviews in the
19 next couple of weeks to hire a person on to help us with
20 that effort. So that will free up the person I already
21 have on staff to go out in the community and really push
22 the C&D ordinance and push the commercial recycling.

23 CHAIRPERSON MARIN: Wonderful.

24 COMMITTEE MEMBER WASHINGTON: That's the pleasure
25 of being the last one. He knew all the questions we're

1 going to ask him.

2 CHAIRPERSON MARIN: Thank you so much.

3 I have two conflicting figures for the City of
4 Glendora. One figure is the 51 percent, but I actually
5 have 45 percent. So which one is it?

6 DEPUTY DIRECTOR SCHIAVO: 45 percent was 2002,
7 and the 51 is 2003. And, again, that's a preliminary.

8 LOS ANGELES ASSISTANCE SECTION SUPERVISOR

9 USELTON: That's correct.

10 CHAIRPERSON MARIN: So 45 is 200- --

11 DEPUTY DIRECTOR SCHIAVO: Two, and 51 is the
12 preliminary number for 2003.

13 CHAIRPERSON MARIN: Okay. All right. So
14 Glendora is fine.

15 We will move all of the items except for the City
16 of San Marino. And we'll take that item at the Board.
17 Okay.

18 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
19 like to move adoption of Resolution 2005-143 with the
20 exception of San Marino.

21 COMMITTEE MEMBER PEACE: Second.

22 CHAIRPERSON MARIN: Okay. Moved and seconded.

23 Without objection, we will substitute the
24 previous roll call.

25 I have Number 16.

1 DEPUTY DIRECTOR SCHIAVO: Item 16 is
2 Consideration of the Application for an SB1066 Time
3 Extension by the City of Rialto, San Bernardino County.
4 Rebecca Brown will present this item.

5 And also -- I'm sorry. We're combining Item 17
6 with that, which is City of Montclair, San Bernardino
7 County as well. And Rebecca will present both of those.

8 CHAIRPERSON MARIN: So we get Rebecca two for the
9 price of one. Purchase with gift.

10 MS. BROWN: The Cities of Montclair and Rialto
11 have requested time extensions through December 31st,
12 2005.

13 The City of Montclair needs additional time to
14 work with its hauler on improving commercial routes, such
15 as adding more source-separated on-site collection, and to
16 discuss possible economic incentives; to negotiate with
17 its hauler to develop and implement the construction and
18 demolition program; and to convert from manual to
19 automated curbside collection of source-separated
20 residential green waste; and to adopt a construction and
21 demolition debris diversion ordinance or policy; and
22 educate the affected parties about the ordinance or
23 policy. They anticipate a 9 percent increase in their
24 diversion rate.

25 The City of Rialto needs additional time to

1 modify its select load program; to increase collection
2 from businesses with large amounts of clean dry
3 recyclables; to initiate a new hauler program for
4 source-separated collection of glass beverage containers
5 from bars, restaurants, and nightclubs; to start screening
6 their street sweeping debris and diverting the clean
7 material; negotiate with its hauler to modify its bulky
8 item pickup program; and to expand its Second Chance Week
9 city-wide yard sale; and to start having self-haulers use
10 the County's new on-site recycling programs at County
11 landfills; and to start negotiations with their hauler for
12 a mixed C&D program for sorting those materials at the
13 hauler-owned MRF.

14 Board staff has determined the information
15 submitted in the applications is adequately documented and
16 is recommending the Board approve the time extension
17 requests for the City.

18 Rich Scanlin and Barbara Dellinger from the City
19 of Rialto and Roxanne Robinson from the City of Montclair
20 are here to answer any questions you might have.

21 Thank you, and this concludes my presentation.

22 CHAIRPERSON MARIN: Thank you.

23 We'll take first the City of Rialto. Anybody
24 here?

25 MS. BROWN: Rich Scanlin and Barbara Dellinger

1 are here.

2 MS. DELLINGER: I'm Barbara Dellinger, the Senior
3 Admin Analyst for the Solid Waste Department with the City
4 of Rialto.

5 CHAIRPERSON MARIN: Thank you for being here. I
6 know staff gave a wonderful presentation. And you're
7 going to do everything that you said you were going to do
8 in your plan?

9 MS. DELLINGER: Yes.

10 CHAIRPERSON MARIN: So why don't you tell us a
11 little bit more.

12 MS. DELLINGER: The City of Rialto is
13 approximately 100,000 in population. And we're a long,
14 thin city sandwiched between Ontario, Fontana, and the
15 city of San Bernardino, much larger cities than we are.
16 And we're in direct competition with them for commercial
17 development, especially retail. We do not have a C&D
18 ordinance. We are in the process of developing a program
19 with our waste hauler, who has exclusive franchise to haul
20 the roll offs from construction sites to their MRF.

21 CHAIRPERSON MARIN: Is that Waste Management?

22 MS. DELLINGER: No. It's Edco Disposal, which is
23 a sister company of Burrtec.

24 CHAIRPERSON MARIN: They do a pretty good job.

25 MS. DELLINGER: Yes. And we have a very good

1 relationship with them.

2 CHAIRPERSON MARIN: Okay. So when do you think
3 your ordinance will be adopted?

4 MS. DELLINGER: Well, we haven't looked at the
5 ordinance yet, because we don't want to discourage the
6 development in the city. As I said, we're in such
7 competition with neighboring cities. We're looking at a
8 program and hoping that that will be most successful,
9 since they are exclusive franchise and there's more
10 control.

11 CHAIRPERSON MARIN: All right. You heard what I
12 said to the other city. And the reason why we do that is
13 because we know that works, you know. And so we
14 appreciate the situation, just like -- whatever I said to
15 that other city, I'm saying to the City of Rialto. We
16 obviously feel that you don't need the ordinance right
17 now. Your program, you're going to attempt to do it. But
18 you should know if you don't, then there are consequences
19 to your not meeting the State mandate. Okay.

20 COMMITTEE MEMBER PEACE: I'm going to ask the
21 same question. What are you buying recycled?

22 MS. DELLINGER: Yes. We have a recycled content
23 procurement ordinance and have had for over ten years. We
24 purchase -- besides the recycled paper products, recycled
25 plastic lumber, recycled plastic carpeting for City Hall

1 and a good majority of the City buildings. We don't have
2 one City Hall. It's scattered all over. Recycled plastic
3 uniforms for City staff. We use recycled plastic T-shirts
4 for City events. We have a community garden, and we've
5 built raised-bed plots with the recycled plastic lumber,
6 picnic tables, signs.

7 CHAIRPERSON MARIN: Okay. Well, thank you very
8 much. Thank you.

9 The next one will be the City of Montclair.

10 MS. BROWN: That's Roxanne Robinson.

11 CHAIRPERSON MARIN: Hi, Roxanne Robinson. How
12 are you?

13 MS. ROBINSON: I'm fine. Good morning.

14 CHAIRPERSON MARIN: You're at 41 percent? Tell
15 us the great things you're going to do, because you need 9
16 percent -- well, nine points to get to 50 or over. I know
17 she did a great job, but you're going to tell us in your
18 own words.

19 MS. ROBINSON: We're short 9 percent. Five
20 percent we're going to focus on our business accounts,
21 such as targeting our strip malls, fast food restaurants,
22 offices, and going out and also going to work with the
23 Business License Department getting the name of the
24 businesses and also in conjunction with Burrtec, which is
25 our exclusive hauler, and both of us going out and talking

1 to our businesses together and getting them set up on a
2 recycling program, paper, things like that.

3 The other 2 percent we're going to do is we're
4 not automated for green waste. We're in negotiations now
5 with our hauler, so we're looking into going automated
6 green waste.

7 The other 2 percent we're looking at is a C&D
8 program that we're also going to look at with Burrtec to
9 set up a program for that.

10 Our growth isn't very big. We don't have much
11 area where we can grow and build, but we'd like to at
12 least get our program set up for the C&D.

13 CHAIRPERSON MARIN: Okay. All right. That
14 wasn't painful, was it? Okay, Ms. Robinson. And I'm
15 going to say the same thing about the C&D. I know you're
16 not experiencing enormous growth. It's probably just some
17 remodeling maybe of some homes and so forth. Are you
18 built out completely?

19 MS. ROBINSON: Yeah.

20 CHAIRPERSON MARIN: So it's probably more
21 remodeling than brand-new building. But nevertheless, we
22 think that could be helpful. I would certainly
23 encourage -- you don't have an ordinance?

24 MS. ROBINSON: No.

25 CHAIRPERSON MARIN: Would you take that back to

1 your City Manager to take to your Council? We believe
2 that could be helpful.

3 MS. ROBINSON: Okay. Yes, I will.

4 CHAIRPERSON MARIN: Thank you very much for
5 coming.

6 COMMITTEE MEMBER WASHINGTON: And they are doing
7 some commercial building down there, which is really going
8 well with the dealerships off of the 10 Freeway and then
9 further down. That might be the City of Pomona where the
10 mall is.

11 MS. ROBINSON: Well, actually, the new mall is in
12 Rancho Cucamonga.

13 COMMITTEE MEMBER WASHINGTON: Oh, Rancho. Okay.

14 CHAIRPERSON MARIN: Thank you, Ms. Robinson. We
15 appreciate that. And you don't need to come to the Board
16 meeting.

17 But we do have two separate --

18 DEPUTY DIRECTOR SCHIAVO: Two separate
19 Resolutions.

20 CHAIRPERSON MARIN: Is there a motion for both?

21 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
22 like to move adoption of Resolution 2005-135 and 2005-136.

23 CHAIRPERSON MARIN: Okay.

24 COMMITTEE MEMBER PEACE: Before I second that,
25 before Rebecca leaves, I just wanted to extend my

1 congratulations to you and "You be green." She won the
2 contest.

3 (Applause)

4 COMMITTEE MEMBER PEACE: Second.

5 CHAIRPERSON MARIN: Moved and seconded.

6 Without objection, we will substitute the
7 previous roll call.

8 "You be green." That's going to be your name
9 now.

10 Number 18.

11 DEPUTY DIRECTOR SCHIAVO: Item M is Consideration
12 of an Amended Nondisposal Facility Element for the County
13 of Imperial. And Tara Gauthier will present this item.

14 CHAIRPERSON MARIN: Hello, Tara.

15 MS. GAUTHIER: Good morning.

16 The County of Imperial Unincorporated Area is
17 amending its Nondisposal Facility Element, NDFE, by
18 identifying and describing the Harris Road LLC Transfer
19 Station and Materials Recovery Facility as a new facility.
20 The Permitting and Enforcement Division will be presenting
21 an agenda item for the proposed permit for the new
22 facility in the future.

23 The County has submitted all required
24 documentation for this facility. Therefore, staff
25 recommends approval of this amendment to Imperial County

1 Unincorporated's NDFE. That concludes my presentation on
2 this item.

3 CHAIRPERSON MARIN: Okay. Tell me about their
4 diversion rate. Do we have a diversion rate?

5 MS. GAUTHIER: The Unincorporated Area, I believe
6 at this time based on the original base year it's 82
7 percent.

8 CHAIRPERSON MARIN: 82 percent?

9 MS. GAUTHIER: Yes.

10 CHAIRPERSON MARIN: Okay. That's amazing.

11 Okay. All right. Any questions? Any problems
12 with this particular -- no. Okay.

13 Is there a motion?

14 COMMITTEE MEMBER WASHINGTON: I'd like to move
15 adoption of Resolution 2005-137.

16 COMMITTEE MEMBER PEACE: Second.

17 CHAIRPERSON MARIN: Moved and seconded.

18 Without objection, we will substitute the
19 previous roll call. Thank you.

20 DEPUTY DIRECTOR SCHIAVO: Tara will be with us
21 for the next three items.

22 Next one is Item N, Consideration of a Second
23 SB1066 Time Extension Application by the City of
24 Holtville, also in Imperial County.

25 MS. GAUTHIER: Item 19, the City of Holtville in

1 Imperial has requested a second SB1066 time extension
2 through December 31st, 2005, for the following reasons:
3 To conduct a campaign to reduce curbside contamination.
4 This is expected to also increase participation in the
5 program. To improve the existing commercial recycling
6 program by providing outreach to businesses, including
7 multi-family units; and working with the hauler to provide
8 properly sized and labeled containers for recycling; to
9 assist a pilot program's school in setting up recycling;
10 and monitor the success of the program to use as a model
11 for other schools in the city; to require the hauler to
12 divert Christmas trees; to fully implement the new C&D
13 ordinance with all new construction and demolition within
14 the city; and to train the newly hired City staff person
15 to provide outreach to residents, businesses, and schools
16 to conduct these programs.

17 Board staff has determined the information
18 submitted in the application has been adequately
19 documented and recommends the Board approve the time
20 extension request for the City. The City of Holtville was
21 unable to send a representative to this meeting. This
22 does conclude my presentation.

23 CHAIRPERSON MARIN: I'm really shocked at the
24 numbers of this particular city, and I'm wondering what is
25 it that we can do to really, really help them. I just

1 cannot see how they could reach 50 percent by the end of
2 the year. This is where we may need like laser surgery.
3 Let's go in and try to figure out a way to really help
4 them. I cannot do it if they're not here. So I'm going
5 to ask them if they can have a representative at the Board
6 meeting. I know it's a small city, but there are very
7 many small cities, and they're meeting their requirements.

8 And maybe we need to do something extra. From
9 now to the Board meeting, maybe we need to come up with
10 something else that the Board can help them with. Because
11 there's no way -- they're at 18 percent right now. And
12 how have they gone so bad? We need to do major surgery
13 here. Okay.

14 COMMITTEE MEMBER WASHINGTON: Maybe, Pat, you
15 guys can go in and take a look at some of the stuff you
16 did for the City of Arvin down there. And they were
17 pretty much one of the same cities in kind of the same
18 situation. And I think they're coming along. So maybe
19 you can take a look at some ways of helping those folks
20 out.

21 BRANCH MANAGER MORGAN: Madam Chair, if I may.
22 Cara Morgan, Office of Local Assistance.

23 You bring up a very good point. That is exactly
24 our plan with the City of Holtville. They are in a
25 situation where they've had challenges with their existing

1 hauler and are looking to go out with an RFP for a new
2 hauler. That's one major thing we'll be providing them
3 assistance with, as well as Tara is working very closely
4 with them on their commercial diversion programs. Had
5 some site visits planned with them at the end of June, so
6 we are going to be working real closely and giving them a
7 lot of assistance to help them get there.

8 COMMITTEE MEMBER WASHINGTON: Cara, I would like
9 to go down and visit with you also, Madam Chair. Myself
10 and Chair Moulton-Patterson did the same with Arvin, and
11 it helped with the morale of everyone participating in the
12 process. So I will be glad to go down there and help out
13 with that effort, too.

14 CHAIRPERSON MARIN: We're going to do that. But
15 it's just unacceptable. Okay. And if we need to do
16 something to help them, we should. On the other hand,
17 they have to realize they really have to do a lot of work.
18 And this is unacceptable, as simple as that.

19 Yes, go ahead.

20 COMMITTEE MEMBER PEACE: I was just wondering, it
21 looks like they never had a very high rate here, diversion
22 rate. Why were they never placed on a Compliance Order in
23 all these years? What distinguishes them from someone --

24 DEPUTY DIRECTOR SCHIAVO: They're very small,
25 rural, that has a lot of poverty. They don't have a lot

1 of money for program implementation. Tara spent an
2 extraordinary amount of -- like a second home for her down
3 there in Imperial. She's put an awful lot of effort in
4 trying to work with these communities. It's just a tough
5 situation. They're a long ways from markets.

6 CHAIRPERSON MARIN: But nevertheless, I think,
7 you know, that the hauler needs to assume some
8 responsibility. Because as poor as those people are,
9 someone is hauling that trash. And somebody may not be
10 doing the job they should be doing. And if that is the
11 case, then the City needs to take action on that very like
12 swift, fast, and in a hurry, because that can no longer be
13 an excuse. Okay. Thank you.

14 MS. GAUTHIER: Certainly, we appreciate your
15 support. There's one more item --

16 DEPUTY DIRECTOR SCHIAVO: Hold on.

17 Committee Item O -- we're going to hear the prior
18 one at the full Board?

19 CHAIRPERSON MARIN: Yeah.

20 DEPUTY DIRECTOR SCHIAVO: Committee Item O is
21 Consideration of a Second SB1066 Time Extension
22 Application by the City of Westmorland and the City of
23 South San Francisco. City of Westmorland is also in San
24 Francisco, and City of South San Francisco is in San Mateo
25 County. And Tara will present this.

1 CHAIRPERSON MARIN: City of Westmorland, that
2 goes first?

3 MS. GAUTHIER: Yes. These cities have each
4 requested a second SB1066 time extension from December
5 31st, 2005. The reasons for requesting additional time
6 are as follows.

7 The City of Westmorland has requested additional
8 time to conduct a campaign to reduce curbside
9 contamination and, if necessary, to institute penalties
10 for contaminated curbside recyclables and green waste; to
11 send out an RFQ in an effort to revise its contracted
12 hauler rates to provide more incentive for commercial
13 recycling; to require its hauler to divert Christmas trees
14 and/or work with other jurisdictions in the Imperial
15 Valley to require Christmas tree diversion of their
16 hauler; and to revise its C&D ordinance reporting forms to
17 require weight receipts and delivery destination of
18 recycled material to monitor and assure maximum
19 construction and demolition waste diversion.

20 The City of Westmorland in Imperial County is
21 considered a rural jurisdiction attempting, as the City
22 says in its 1066 extension request, to overcome the "rural
23 factor." The City has worked with its one public school
24 to divert over 50 percent of its waste stream and to
25 become, in fact, a model for other schools featured on our

1 Board's website. Westmorland was one of the first cities
2 in Imperial County to offer commercial on-site collection
3 of recyclables, and nearly all major businesses downtown
4 have been recycling cardboard.

5 In 2003, Westmorland was the first city in
6 Imperial County to pass a C&D ordinance. The City worked
7 with its builders to divert all the C&D materials possible
8 at that time. All single-family residents and most
9 multi-family residents in the city now have access to
10 curbside recycling. There is, however, an ongoing problem
11 of curbside recycling contamination, as with all the
12 jurisdictions served by the same hauler in Imperial
13 County. This problem is exacerbated by the colors of the
14 waste and recycling containers being difficult to
15 distinguish, black and brown, and difficult-to-comprehend
16 schedule of collection on the hauler's calendar.

17 The City has faced numerous challenges with their
18 hauler. Despite the fact that residents have source
19 separated their Christmas trees for the past three years,
20 they've not been diverted. And more recently, the
21 hauler's MRF discontinued recycling mixed paper without
22 informing the local cities and its customers, adding to
23 the already high contamination rate.

24 The school source separated rebar from concrete
25 in the 2003 renovation project with the expectation the

1 materials would be diverted. But in a recent generation
2 study, the City found that the hauler had landfilled it
3 instead of recycling it at half the cost.

4 Westmorland's hauler contract ended in October
5 2004. But because it is the smallest city in Imperial
6 County, it had to wait for another larger city in the area
7 to offer an RFP which would attract bidders. The City is
8 at this time taking bids and expects to have a new
9 contract by early autumn.

10 The City conducted a generation base study for
11 2003. There was higher disposal than usual, as well as an
12 extraordinary amount of inerts diversion from a Caltrans
13 project, which the City was unable to count due to the
14 fact that it was not representative of a normal year.
15 This year, the City so far, for example, anticipates the
16 construction of two single-family homes.

17 The City is working hard to fully implement their
18 diversion programs. Staff, therefore, recommends that the
19 Board offer the City more time to conduct outreach to its
20 residential and commercial customers, to revise its hauler
21 contract and its C&D reporting forms.

22 CHAIRPERSON MARIN: You know, my comments are
23 going to be very similar to the one in Holtville, because
24 this is also unacceptable. And I understand -- so let me
25 ask you this. So they have a new hauler, or are they

1 still waiting for another bigger city to have a Request
2 for Proposals for a new contract?

3 MS. GAUTHIER: At this time, yes, there is a
4 larger city. I believe the City of El Centro is also
5 going out for a new bid. And so that way they can
6 piggyback with them to get bidders. And they have
7 accepted some at this time.

8 CHAIRPERSON MARIN: You know, I don't know how
9 old their contract was. But most contracts have a small
10 little line that says the hauler will do everything they
11 can to fulfill 939 mandates, something to that effect.
12 How old is this contract that didn't have it?

13 MS. GAUTHIER: Old.

14 CHAIRPERSON MARIN: Well, because at one point in
15 time you have to hold your contractor responsible for the
16 City's lack of performance. And I want to make sure that
17 somebody from the City comes to the Board meeting.

18 You know, we'll help them. But they need to help
19 themselves as well. And at one point in time, the fact
20 that they're small and rural can no longer be an excuse.
21 And it is not acceptable.

22 So we will work with them. We will work with
23 them. But they need to do a lot more. Eighteen percent,
24 just not acceptable. So if that's okay with you guys.

25 Now the City of South San Francisco, I know we

1 have somebody here representing them.

2 MS. GAUTHIER: Shall I proceed?

3 BRANCH MANAGER MORGAN: Would you like Tara to
4 present first?

5 CHAIRPERSON MARIN: Go ahead and present.

6 MS. GAUTHIER: The City of South San Francisco
7 needs more time to increase the amount of C&D recycling
8 through approval and implementation of the C&D ordinance
9 and to refine and expand its existing food waste
10 composting pilot program.

11 Board staff has determined that the information
12 submitted in the application has been adequately
13 documented and recommends the Board approve the time
14 extension request for both of these cities.

15 The City of Westmorland was unable to send a
16 representative, but a representative from South
17 San Francisco is present at this meeting to answer any
18 questions you have. And that concludes my presentation.

19 CHAIRPERSON MARIN: Thank you, Tara.

20 Okay. Come forward, please. State your name for
21 the record.

22 MR. WHITE: Hi. Mark White, Pacific Waste
23 Consulting Group. We work for the hauler, South San
24 Francisco Scavenger Company, and they employ us to provide
25 the city with these kind of services. I've met with a

1 couple of the Committee members, and I appreciate that
2 opportunity. And I'm here to respond to your questions.

3 CHAIRPERSON MARIN: I don't know if you met with
4 all of us. We appreciate the work that you are doing and
5 your company.

6 You believe that the City will be able to meet
7 their mandate by the end of the year?

8 MR. WHITE: Without question.

9 CHAIRPERSON MARIN: Okay. Mark your words,
10 Mr. White.

11 I don't have a question. I understand what
12 they're doing and their programs and so forth.

13 COMMITTEE MEMBER PEACE: When I met with you last
14 week, Mark, I asked if the City had a recycled content
15 procurement policy, if you knew if they had any RAC roads
16 or used recycled aggregate in their road base. And you
17 said you'd check on it. Did you have time to check on it?

18 MR. WHITE: We've checked on it. We don't
19 believe they've used any RAC road materials. And we're
20 not certain about the C&D used as aggregate in private or
21 public parking lots.

22 But we're going to add some of those things and
23 some other things we've heard this morning to changes we'd
24 like to see in the purchasing approach, and encourage the
25 City in the strongest of ways to get that going, because

1 we think they're wonderful ideas. They're things they can
2 actually do right now.

3 COMMITTEE MEMBER PEACE: So right now you don't
4 have a recycling content purchasing policy?

5 MR. WHITE: We're purchasing paper, as you said,
6 toners and also oil. But those things need to be
7 expanded, we believe.

8 CHAIRPERSON MARIN: So is the City going to have
9 a C&D ordinance?

10 MR. WHITE: We have a C&D ordinance. It will be
11 delivered to the City within a few days. We anticipate
12 that should be in place by the end of the year.

13 CHAIRPERSON MARIN: That's part of the plan?

14 MR. WHITE: That's part of the plan. But in
15 addition to that, the hauler has provided us a mixed waste
16 C&D processing facility that has been ramping up and is
17 now doing, we think, more than 65 percent. And it's to be
18 expanded. So they're getting great service now.

19 CHAIRPERSON MARIN: Mr. White, you've been
20 hearing my comments regarding the C&D ordinance?

21 MR. WHITE: Yes, I have.

22 CHAIRPERSON MARIN: We'd rather have that sooner
23 than later.

24 MR. WHITE: Yes. We shall.

25 I just wanted to point out one other thing. You

1 asked whether we thought we could make the number, and I
2 said without a doubt. That's because we've already redone
3 the base year. One of the interesting things that came
4 out of that is that we were checking with our commercial
5 sources that were checked with in 2000. A lot more of
6 them are going to our hauler. Our hauler is out there far
7 more in recent years than he has in the past. And a lot
8 of those sources are now captured in a system where we get
9 the numbers.

10 CHAIRPERSON MARIN: But now you are going to
11 capture them?

12 MR. WHITE: Yes.

13 CHAIRPERSON MARIN: Thank you.

14 Is there a motion?

15 COMMITTEE MEMBER WASHINGTON: Madam Chair, just
16 before we move that on, Westmorland, who's picking up
17 their trash now? Because didn't you say the contract ran
18 out in '04?

19 CHAIRPERSON MARIN: It's the same contract.

20 MS. GAUTHIER: It's Valley Environmental
21 Services. They're a part of Republic.

22 COMMITTEE MEMBER WASHINGTON: So Westmorland you
23 want before the full Board?

24 CHAIRPERSON MARIN: Westmorland comes to the
25 Board.

1 COMMITTEE MEMBER WASHINGTON: All right. I move
2 adoption of Resolution 2005-139 with the exception of the
3 City of Westmorland.

4 COMMITTEE MEMBER PEACE: Second.

5 CHAIRPERSON MARIN: Moved and seconded.

6 Without objection, we'll substitute the previous
7 roll call and go to Item 21.

8 DEPUTY DIRECTOR SCHIAVO: Committee Item P is
9 Consideration of a Second SB1066 Time Extension for the
10 City of Eureka, Humboldt County; City of Mammoth Lakes in
11 Mono County; Yuba/Sutter Regional Waste Management
12 Authority in Yuba and Sutter Counties.

13 And Steve Sorelle will present this item.

14 SUPERVISOR SORELLE: Good morning, Committee
15 members.

16 Yuba/Sutter Regional Waste Management Authority
17 and the City of Eureka and the town of Mammoth Lakes have
18 requested a second time extension through December 31st,
19 2005.

20 The specific reasons that Yuba/Sutter Regional
21 Waste Management Authority needs a time extension are as
22 follows: To enhance the residential recycling programs by
23 working with the waste hauler and residents in an attempt
24 to increase the quality and quantity of mixed recyclables
25 and green waste collected; to expand the construction and

1 demolition recycling program at the materials recovery
2 facility. That expansion includes adding a second shift
3 to work the construction and demolition sorting line at
4 the MRF during times of intensive construction activity.
5 And to enhance and expand the commercial on-site pickup
6 program; and increase the flow of wood waste to biomass.
7 These diversion programs are projected to increase the
8 regional agency's diversion rate by approximately 14
9 percent.

10 The specific reasons the City of Eureka needs a
11 second time extension are as follows: To work with
12 private entrepreneurs, haulers, local governments, and
13 other interested parties to coordinate development of a
14 regional composting facility and a specified program for
15 composting City zoo waste and City parks green waste; to
16 begin working on a mandatory curbside collection system,
17 which also requires development of an expanded processing
18 facility; to develop a new processing facility for
19 recyclables and expand its buy-back and drop-off facility;
20 to expand business waste audits with a focus on small
21 businesses, hospitals, and apartment complexes. The City
22 anticipates a 21 percent increase in its diversion rate
23 with the implementation of these enhancements.

24 The specific reasons that the town of Mammoth
25 Lakes needs a second time extension are as follows: To

1 develop an expanded materials recovery facility and to
2 work closely with the county and the hauler for the
3 expansion and processing and recovery of more C&D
4 material.

5 The town has purchased a tub grinder and is
6 processing more wood waste. However, it needs additional
7 time to fully implement and monitor wood waste recovery
8 and processing at the landfill. To purchase a new bailer
9 for the increased processing of cardboard; to facilitate
10 increased storage capacity at the MRF for bailed cardboard
11 and other recyclables.

12 The town has grown since the last time extension.
13 And, therefore, there is a need to improve the MRF's
14 system generally to better handle the amount of material
15 generated within the town. These diversion programs are
16 projected to increase the town's diversion rate by
17 approximately 22 percent.

18 Board staff has determined that the information
19 submitted in these applications is adequately documented.
20 Based on this information, Board staff is recommending
21 that the Board approve these time extension requests.

22 Staff and representatives from Mammoth Lakes are
23 available to answer questions. This concludes my
24 presentation. Thank you.

25 CHAIRPERSON MARIN: Thank you.

1 What about Eureka? Nobody from Eureka?

2 SUPERVISOR SORELLE: Correct. They had a
3 conflict in schedule. We talked to them extensively, but
4 he could not attend today.

5 CHAIRPERSON MARIN: But they will attend the
6 Board meeting?

7 SUPERVISOR SORELLE: We will call them and make
8 that requirement.

9 CHAIRPERSON MARIN: Okay. Suggestion.

10 SUPERVISOR SORELLE: Strong suggestion.

11 CHAIRPERSON MARIN: Who's here from Yuba Sutter?

12 SUPERVISOR SORELLE: Well, actually, Kyle Pogue
13 can answer questions for them. They're not in attendance
14 today.

15 CHAIRPERSON MARIN: Since when did they start
16 paying your salary, Mr. Pogue?

17 MR. POGUE: Good afternoon. Kyle Pogue with the
18 Office of Local Assistance.

19 I just wanted to pass along Keith Martin from the
20 Yuba/Sutter Regional Waste Management Authority called to
21 let me know he could not attend. They have three staff
22 members in their office, and two of them are currently
23 out. And he had to stay home and guard the fort. So,
24 unfortunately, he couldn't make it. But he did want me to
25 pass along he'd be available at the full Board meeting to

1 discuss anything you'd like at that time.

2 CHAIRPERSON MARIN: Well, please let him know we
3 need to see him at the Board meeting.

4 And the next one is the City of Mammoth Lakes.

5 MR. MERCER: Good afternoon, Madam Chairman and
6 Board members. I'm Steve Mercer. I'm the Code Compliance
7 Coordinator and Environmental Analyst from the town of
8 Mammoth Lakes. And I brought with me Jim Greco. He's our
9 consultant, and he can help answer some questions.

10 CHAIRPERSON MARIN: Well, you've seen what we've
11 been doing. Go ahead and let us know how you're going to
12 do this, because 22 percent, to makeup 22 points, it's a
13 lot of work.

14 MR. MERCER: It is. And we're doing a lot of
15 work and have been and will continue to do so.

16 I do want to preface that 22 percent by saying we
17 had an old base line in 1991. We've been growing like
18 crazy since then, and we're concerned that the numbers are
19 not adequately reflective. So we are doing presently a
20 new waste generation study for 2003-2004. We'll be
21 submitting that to the staff on the 20th of this month.

22 So we're closer than the 28 percent, we feel for
23 sure, than it looks like right now. That doesn't mean
24 we're giving up, because we have a lot of things we're
25 still going to be doing.

1 CHAIRPERSON MARIN: I know your C&D ordinance --

2 MR. MERCER: We do not have a C&D ordinance.

3 Presently, we do take wood at a reduced rate at our
4 landfill. We're going to try to reduce that rate further
5 in the near future once we get control over all the waste
6 streams in the county. Right now we have one hauler
7 that's hauling to Nevada. We want to try to keep all the
8 waste within the county so we can impose recycling
9 restrictions on the other hauler.

10 But specifically within the town of Mammoth
11 Lakes, we do have an exclusive franchise with our hauler,
12 and that's Mammoth Disposal, whose parent company is Waste
13 Management. So they are working with us carefully to try
14 to improve recycling efforts throughout the town.

15 Curbside pickup is very difficult. We had over
16 50 feet of snow last year. So there's some challenges
17 with bear, but challenges don't matter. We have to come
18 to our 50 percent, and we're going to get there.

19 Some of the things we've done just recently that
20 you won't see reported is we're now collecting pine
21 needles. We're separating pine needles from everything
22 else. And we use them for erosion control and use them
23 for cover at the landfill, so they're no longer just going
24 into plastic bags and into the waste stream. That's going
25 to be a big difference. It's kind of hard to imagine, but

1 everybody has pine trees in their front yards. It's a lot
2 of material going there.

3 Another thing we've done is we now have a rock
4 crusher in one of our landfills. And we have a lot of
5 boulders. We're putting in some high-risers right now and
6 they're going in underground parking. And those boulders
7 are going to be crushed and used as base material. Those
8 two things will make a huge difference on our total
9 overall reporting.

10 CHAIRPERSON MARIN: Well, Mr. Mercer, one other
11 thing. If you continue to go as you have been, it would
12 be in your best interest to ensure that you have a C&D
13 ordinance. And, you know, your companies and owners of
14 your companies know how to do that and --

15 MR. MERCER: They actually have done in the past
16 couple of years, it's been voluntary. We have done a good
17 job with some deconstruction of some structures, and we
18 intend to move forward with that. I personally visit all
19 the construction sites. We're fortunate we're a small
20 enough town I can go to every single one of them. I know
21 all the superintendents and general contractors myself.
22 So we're four square miles. It's not we're
23 uncontrollable. We can manage this and get to 50 percent.

24 I would like to address a couple more things.
25 First, buy back, buying of recycled materials. We do use

1 road base. We grind all of our road base. We reuse every
2 bit of it. We either use it for lining some of our ponds,
3 for our water district, or we use it for roads or for
4 curbs on the edges of roads. We use biodiesel fuel for
5 our snow removal equipment, which is pretty extensive in
6 that area. Mammoth Mountain ski area uses biodiesel fuel
7 for all their grooming equipment. We use the recycled
8 paper and toner cartridges. And I know we've got --
9 that's pretty much the major things. We also have some
10 recycling containers that we placed at all of our transit
11 stops and parks systems and public areas. And those are
12 made with recycled content.

13 It might help a little bit if Jim could explain
14 why we're changing the waste generation study.

15 MR. GRECO: For the record, my name is Jim Greco,
16 independent consultant. I'll be very brief.

17 You're all probably well aware the town of
18 Mammoth Lakes is a very popular destination for skiers,
19 second homeowners. It's not uncommon that during a
20 weekend during the season the population goes five-fold
21 from 8,000 to 35-, 40,000. So because of that kind of
22 growth, that we feel isn't captured accurately by the
23 default measurement system. And to show what is a better,
24 more accurate, reasonable rate, we're doing this
25 generation study, diversion study.

1 CHAIRPERSON MARIN: And you're doing it at the
2 time when you have the highest population?

3 MR. GRECO: Yes. 2004, which is the latest we
4 can do it. And we've had good support from staff, because
5 you need the disposal numbers. And they just recently
6 came in. So we hope that will not only shed insight on
7 the numbers, but it also will identify programs that could
8 be enhanced and sectors that there could be additional
9 programs implemented.

10 CHAIRPERSON MARIN: All right. Ms. Peace.

11 COMMITTEE MEMBER PEACE: With the new base year
12 study that you're doing, what do you think your 2004
13 diversion rate really is?

14 MR. MERCER: I'm somewhat reluctant to say,
15 because we haven't had it reviewed by your staff yet.
16 Between you and I, it's 57 percent what we're going
17 present to them. And hopefully we're right.

18 CHAIRPERSON MARIN: I think all of us would want
19 you to be right. At the end of the day, we want people to
20 not just reach the mandate, but go beyond that. And if
21 your study is right, then that's fine. Never the less,
22 even if your study is right, we want you to do everything
23 else that you agreed to do.

24 MR. MERCER: Absolutely, we will.

25 COMMITTEE MEMBER PEACE: I know Mammoth is really

1 booming. Do you have a C&D ordinance planned?

2 MR. MERCER: We don't have a C&D ordinance. We
3 have a really tough situation because of the fact we have
4 a very short building season. And the C&D work we have
5 done has been very time consuming. It's not popular with
6 some of the developers. That doesn't mean if we don't
7 feel we can get where we need to be that we won't
8 implement one. But I'd like to get through this next
9 review with staff and see if we are where we need to be
10 and still follow through with the separation at the
11 landfill and get there that way if we can. But if we
12 can't, I understand perfectly well you're going to want to
13 see a C&D ordinance.

14 CHAIRPERSON MARIN: And I know that developers
15 are not thrilled that they have to do some extra work,
16 because that's what it is. It is extra work. But at the
17 end of the day, there is a higher purpose. And
18 responsible developers across the entire state do that.
19 And they don't need to be mandated to do that. They have
20 done it. It would be our hope that it does need to be
21 mandated. But if we have to, then we will.

22 And if you don't meet your -- you heard what I
23 said to the other people. If you do not meet your
24 requirement, that nice cozy relationship you have with
25 your developers is going to cost you \$10,000 a day with

1 us.

2 MR. MERCER: That's very loud and clear, and I
3 fully understand.

4 CHAIRPERSON MARIN: Thank you very much.

5 COMMITTEE MEMBER PEACE: I know you mentioned you
6 get so many visitors in Mammoth. How do you deal with all
7 that? Do you have recycling at all the condos and stuff
8 you have there?

9 MR. MERCER: We actually received grant funds
10 last year to get more recycling at the condominium
11 associations. All of our new construction does require
12 recycling facilities. Some of the old ones don't have
13 them at this time. We're trying to get them to all of
14 them, but we're very vigorously pushing to get it at all
15 the condo associations.

16 COMMITTEE MEMBER PEACE: I do also want to
17 mention in terms of buying recycled content products that
18 there is a list of recycled products on the Board's
19 website under our green procurement section so you can
20 look and see what other recycled products are out there
21 and available.

22 MR. MERCER: I will look at that and follow
23 through.

24 CHAIRPERSON MARIN: So we're going to ask the
25 City of Eureka to be here and the City of Yuba-Sutter for

1 the Board.

2 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
3 like to move adoption of Resolution 2005-140 with the
4 exclusion of the City of Eureka and Yuba-Sutter Regional
5 Waste Management Authority.

6 COMMITTEE MEMBER PEACE: Second.

7 CHAIRPERSON MARIN: Moved and seconded.

8 With no objection, we will substitute the
9 previous roll call.

10 And we have three items to go so --

11 DEPUTY DIRECTOR SCHIAVO: Committee Item Q is
12 Consideration of a Second SB1066 Alternative Diversion
13 Requirement Application by the Unincorporated Area of
14 Mariposa County. Natalie Lee will present.

15 MS. LEE: Good afternoon, Committee members.

16 Unincorporated Mariposa County has requested a
17 second SB1066 alternative diversion requirement of 43
18 percent through December 31st, 2005. The County's first
19 alternative diversion requirement was approved by the
20 Board in January of 2003 with the goal of 33 percent. The
21 County completed the goal achievement plan on schedule,
22 December 31st, 2004, and achieved a 39 percent diversion
23 rate in 2003.

24 The County has identified new and expanded
25 opportunities to increase diversion and is, therefore,

1 requesting a second alternative diversion requirement of
2 43 percent through December 31st, 2005. The County has
3 requested an alternative diversion requirement in lieu of
4 a time extension, because the County believes that,
5 despite its good faith efforts, it will be unable to meet
6 the 50 percent diversion requirement within the extension
7 period.

8 The major diversion program currently under
9 development in Mariposa County is a mixed solid waste
10 composting facility. After years of research and project
11 development, the facility is now under construction and is
12 expected to be fully complete and operational in early
13 2006. Once completed, the facility is expected to provide
14 sufficient diversion for the County to surpass the
15 50 percent goal.

16 The County meets the definition of a rural
17 jurisdiction, but has made a commitment to reach the
18 50 percent goal and feels working under the SB1066
19 allowances best supports this long-term commitment. Board
20 staff agree with the County that an ADR is the most
21 appropriate option, given the time frames for the programs
22 being developed.

23 Board staff has determined that the information
24 submitted in Mariposa's application is adequately
25 documented and is recommending that the Board approve the

1 County's request. The County's representative and
2 contractor are present to answer any questions.

3 This concludes my presentation.

4 CHAIRPERSON MARIN: Thank you.

5 Who's here from this great city and great county
6 of Mariposa?

7 MS. LEE: Steven Langford.

8 CHAIRPERSON MARIN: I know Steve. I didn't know
9 whether they were going to be here, but I so appreciate --
10 and I know that you have done an incredible job. I'm
11 familiar with your good faith efforts. And I'm sorry I
12 missed the first stone, or what was it?

13 MR. LANGFORD: Groundbraking. The compost
14 facility.

15 CHAIRPERSON MARIN: I cannot wait until that is
16 operational. I believe that will make all the difference
17 in the world. I know that's what we're waiting for.

18 I'm familiar with the site, and I'm familiar with
19 your efforts. I know you guys have done a remarkable job.
20 And how you have taught children throughout your county is
21 just really amazing. It's really impressive. I was
22 disappointed at the numbers with this --

23 MR. LANGFORD: One of the difficulties was that
24 we won't have the compost facility operational by the end
25 of 2005. But it's expected that we'll have around a 60

1 percent diversion with that system in place. So we can't
2 claim that for 2005, because we're doing testing,
3 hopefully if we stay on track, which it looks like we
4 will, even though we got a lot of rain. We have paved the
5 recycling area. We have pavement out there, which is a
6 big deal for us in Mariposa where the area of the landfill
7 and the recycling center was gravel and dirt. If we stay
8 on track, we'll do very well with that, I believe.

9 CHAIRPERSON MARIN: I know Ms. Peace is going to
10 ask you one question.

11 COMMITTEE MEMBER PEACE: Are you ready to answer
12 it? What do you buy that's recycled and has recycled
13 content?

14 MR. LANGFORD: Well, the County passed a recycled
15 content purchasing policy in 2000, and we buy plastic
16 lumber. For example, recycling bins are a good example of
17 that. We spent \$350,000 in the last couple of years both
18 helping one of our programs and our goal achievement plan
19 as well as buying recycled content materials. So we
20 bought toners and the clusters for our parks and picnic
21 tables and things like that. And the custodial supplies.

22 COMMITTEE MEMBER PEACE: Can I ask one question?
23 The 1066s sunset the end of this year; is that correct?
24 Alternative diversion rates, is that the same? They also
25 sunset at the end of this year?

1 CHAIRPERSON MARIN: Yeah.

2 Thank you. And if you can speed it up so it's
3 earlier than 2006, we'd really appreciate it.

4 MR. LANGFORD: Thank you. And thank you for your
5 comments.

6 CHAIRPERSON MARIN: Thank you, sir.

7 Is there a motion?

8 COMMITTEE MEMBER WASHINGTON: I'd like to move
9 adoption of Resolution 2005-141.

10 CHAIRPERSON MARIN: Okay. Ms. Peace seconded
11 that. Moved and seconded.

12 Without objection, we will substitute the
13 previous roll call.

14 Next item.

15 DEPUTY DIRECTOR SCHIAVO: Committee Item R is
16 Consideration of a Request to Change the Base Year to 2002
17 for the Previously Approved Source Reduction and Recycling
18 Element for Unincorporated San Diego in San Diego County.
19 And Zane Poulson will present this item.

20 MR. POULSON: Good afternoon, Madam Chair and
21 Members.

22 Unincorporated San Diego County has requested to
23 change its base year to 2002. The County has requested a
24 51 percent diversion rate for the 2002 new base year.
25 With Board staff recommended changes, the County's 2002

1 diversion rate would be 50 percent. In addition, the
2 County has submitted documentation showing it meets the
3 statutory conditions for funding biomass diversion credit
4 for 2002.

5 With the staff recommended new base year and the
6 biomass diversion credit, the County's 2002 diversion rate
7 would be 54 percent, of which 4 percent is from biomass
8 diversion.

9 The County used statistical methodologies to
10 quantify diversion from many of the businesses in the
11 Incorporated San Diego County. The County sampled 375 of
12 the 11,988 businesses listed in the Unincorporated County.
13 The study accounts for only a small portion of the
14 County's overall diversion. Approximately 3 percent of
15 the staff recommended 50 percent diversion is a result of
16 statistical methodologies. The other 47 percent diversion
17 is from actual measured diversion data. The methodology
18 employed in the study was reviewed by an impartial
19 third-party statistician and it was found to be adequate.

20 Board staff recommends the Board adopt Option 2,
21 which would approve the County's new base year with staff
22 recommendations and the County's biomass diversion claim.
23 Representatives from the County are available to answer
24 questions.

25 This concludes my presentation.

1 CHAIRPERSON MARIN: Okay. Thank you very much.

2 Who's here from the Unincorporated area of the
3 County of San Diego?

4 MR. WONSIDLER: Good afternoon, Madam Chair and
5 Board members. My name is Michael Wonsidler representing
6 the County of San Diego. I'm a recycling specialist.

7 CHAIRPERSON MARIN: Okay, Michael. I thought
8 there was a question. I was trying furiously to look at
9 it. With the extrapolation, how did you figure the
10 extrapolation again?

11 MR. WONSIDLER: The extrapolation was based on
12 taking the actual audits that we did with the businesses
13 and then dividing that into the amount -- actually took
14 the employees that were in the businesses, and those
15 businesses were then divided into the total number of
16 employees that were in each of the different strata. We
17 had small, medium, and large strata. And we took those
18 correlative factors there and multiplied that by the
19 amount of diversion in that strata and came up with the
20 extrapolation.

21 CHAIRPERSON MARIN: And that's a pretty
22 mathematically accepted way of doing that; right? I mean,
23 there's --

24 MR. WONSIDLER: Yeah.

25 CHAIRPERSON MARIN: Ms. Peace, do you have any

1 questions? No questions.

2 Mr. Washington? No questions.

3 Go out there and do a good job. Okay. All
4 right.

5 Is there a motion, Ms. Peace?

6 COMMITTEE MEMBER PEACE: I'd like to move
7 Resolution 2005-142.

8 COMMITTEE MEMBER WASHINGTON: Second.

9 CHAIRPERSON MARIN: Okay. Moved and seconded.

10 Without objection, then we will substitute the
11 previous roll.

12 And that leads us to the last item, 24.

13 DEPUTY DIRECTOR SCHIAVO: We have two more.

14 CHAIRPERSON MARIN: Two more. I'm sorry.

15 DEPUTY DIRECTOR SCHIAVO: Committee Item S is
16 Consideration of a Large Venues and Event Waste Reduction
17 Model Ordinance and General Plan Language as a Result of
18 AB 2176. And Trevor O'Shaughnessy will present.

19 STATE AGENCY ASSISTANCE SECTION SUPERVISOR

20 O'SHAUGHNESSY: Good morning, Committee members.

21 Understanding the late hour, I have a very abbreviated
22 presentation and hope to keep you on your schedule.

23 In development of the model ordinance before you,
24 staff reviewed existing ordinances throughout the state of
25 California and a few jurisdictions as well as input from

1 interested local governments and industry representatives,
2 both large venue and large event. We held a workshop on
3 April 20th, 2005, which was broadcast through the Internet
4 using the Board's system. Understanding the ordinance and
5 the law are both voluntary. Board staff will be working
6 with OLA in conjunction to promote the model ordinance as
7 well as place it on the Board's website.

8 I would like to acknowledge Chris Schmidle's
9 efforts. He recently transferred from our program over to
10 Oil, but he did do a lot of work pulling this item
11 together and is greatly appreciated.

12 Staff recommends approval of Option 1 and
13 adoption of Resolution 2005-144. Staff's available to
14 address any questions you may have.

15 CHAIRPERSON MARIN: I've just got to tell you, I
16 know you went through a lot of hard work and got a lot of
17 stakeholder input and you had a couple of -- they're not
18 hearings. They're workshops, I guess. This took a lot of
19 work.

20 And do the people that that participated in it
21 feel pretty good about this, the Cities? Were Cities
22 involved in the development of the language as well?

23 STATE AGENCY ASSISTANCE SECTION SUPERVISOR

24 O'SHAUGHNESSY: Absolutely. And, in fact, in our
25 workshop, our comment period -- and even the length of the

1 workshop was abbreviated, because people were really
2 thanking us and appreciative of the ordinance as it was
3 developed, providing a lot of flexibility, as well as
4 giving a general guidance or path, if you will, to follow
5 for the adoption.

6 CHAIRPERSON MARIN: Excellent. Okay. Trevor,
7 good work, and to everybody that worked.

8 COMMITTEE MEMBER WASHINGTON: Madam Chair, I'd
9 like to add my kudos also. That really is a lot of work
10 to pull this off like this. And good job to you and
11 previous staff who worked on this for being able to pull
12 it together.

13 STATE AGENCY ASSISTANCE SECTION SUPERVISOR
14 O'SHAUGHNESSY: Thank you very much.

15 CHAIRPERSON MARIN: Ms. Peace.

16 COMMITTEE MEMBER PEACE: This is really
17 important. We need to recycle at these large venues, and
18 people need to become accustomed to recycling not only at
19 home but wherever they go, they recycle.

20 You know, this is really, really general. I'm
21 just wondering where it says here, "The facility shall
22 prepare and adopt a waste prevention strategy," do we
23 offer help with that? Do we have any examples of waste or
24 any models for waste prevention strategies at a stadium or
25 at a concert or --

1 STATE AGENCY ASSISTANCE SECTION SUPERVISOR

2 O'SHAUGHNESSY: There is the entire large venue and event
3 website we have. And there are examples out there. In
4 addition to that, we are continually developing additional
5 models, pulling other things together.

6 One other piece that we're doing that local
7 government is required to do is to notify large events and
8 venues. We're currently in the process of developing a
9 brochure, if you will, to educate everyone of this new
10 mandate. Although the development of an ordinance and
11 adoption of an ordinance is voluntary, there is the top 10
12 percent of the large venues and events that have to
13 develop a plan and have to implement programs and have to
14 report that. And that is the other piece that we're
15 aggressively working on right now to meet the July
16 deadlines that local government has to implement.

17 COMMITTEE MEMBER PEACE: So we do have the web
18 link and numbers to call for people to get help.

19 STATE AGENCY ASSISTANCE SECTION SUPERVISOR

20 O'SHAUGHNESSY: There's a lot of assistance and tools out
21 there, yes.

22 COMMITTEE MEMBER PEACE: That's great.

23 CHAIRPERSON MARIN: Was that your motion, Ms.
24 Peace?

25 COMMITTEE MEMBER PEACE: I'll make a formal

1 motion. I'll move Resolution 2005-144.

2 COMMITTEE MEMBER WASHINGTON: Second.

3 CHAIRPERSON MARIN: And second. Moved and
4 seconded.

5 Without objection, we will substitute the
6 previous roll call. And all of that will go to the Board.

7 DEPUTY DIRECTOR SCHIAVO: Final item, T,
8 Committee Item T, is Consideration of Adoption of a
9 Negative Declaration and Proposed Regulations for the
10 Revised Adjustment Method and Disposal Reporting
11 Requirement. And Diane Shimizu will present this item.

12 (Thereupon an overhead presentation was
13 presented as follows.)

14 MS. SHIMIZU: Good afternoon. I'm Diane Shimizu
15 with the Disposal Reporting System Unit.

16 At the May 11th, 2005, Board meeting, the Board
17 gave staff direction to formally notice revised
18 regulations for a 45-day comment period, which ran --
19 15-day comment period which ran from May 16th through June
20 1st, 2005. Although state law required the Board to
21 respond to comments on the recently proposed changes to
22 the regulations, the Board directed staff to also consider
23 further comments on origin survey frequency.

24 --o0o--

25 MS. SHIMIZU: According to the revised

1 regulations, loads that are less than 12 cubic yards of
2 uncompacted waste would not be subject to the daily survey
3 and weighing requirements. This picture shows the size of
4 a 12-cubic-yard bin.

5 --o0o--

6 MS. SHIMIZU: Board staff has conducted a survey
7 to determine which DRS facilities are already conducting
8 daily surveys as would be required by the revised
9 regulations. There are approximately 400 permitted active
10 solid waste facilities in the DRS. And that includes
11 stations, landfills, transformation facilities. Over 90
12 of those facilities only allocate waste to a single
13 jurisdiction. So those facilities were not included in
14 the survey results.

15 The facilities currently conducting daily surveys
16 represent over 96 percent of the statewide disposal
17 tonnage. Of the facilities currently allocating waste to
18 more than one jurisdiction, preliminary results indicate
19 approximately 74 percent are conducting daily surveys.
20 Nine percent conduct surveys during the survey week each
21 quarter. Two percent conduct the surveys using a
22 different frequency. Six percent are rural facilities not
23 doing daily surveys that would be exempt from the daily
24 requirement. And nine percent survey frequency is unknown
25 at this time.

1 Of the approximately 400 facilities subject to
2 the DRS requirements, only 31 facilities are identified as
3 needing to modify their survey methods under the revised
4 regulations. These are 16 transfer stations and 15
5 landfills representing less than 8 percent of the
6 facilities statewide.

7 An additional 29 facilities for which the current
8 survey period is unknown might also need to modify their
9 survey methods under the revised regulations. Staff
10 expects to update the unknown survey frequency information
11 when the remaining facilities respond.

12 --o0o--

13 MS. SHIMIZU: This slide summarizes the comments
14 received during the 15-day comment period. I will
15 highlight a few comments and answer any questions you have
16 on the others.

17 First one, daily surveying is not authorized by
18 statute was a comment made. And Board's Legal staff
19 believes we do have statutory authority. And the analysis
20 is in the agenda item.

21 Another comment was that increasing survey
22 frequency will not improve the accuracy of DRS. And
23 staff's response is that the SB 2202 report showed that
24 extrapolation from a one-week survey in each quarter was
25 not as accurate as daily surveys.

1 And another comment was the need for local
2 approval of density calculations. And staff's response is
3 that regulations were revised to require adjustments for
4 waste density differences to be documented and available
5 for review by effected parties. And an agency may set
6 more stringent requirements under its own authority.

7 --o0o--

8 MS. SHIMIZU: And the options for the Board. One
9 is adopt the negative declaration and proposed regulations
10 with clarifying changes to Sections 18810.2(h) and (i) for
11 forwarding to the Office of Administrative Law for
12 promulgation.

13 Option 2 would be direct staff to make additional
14 revisions to the proposed revised regulations and notice
15 the regulations for an additional 15-day public comment
16 period.

17 And 3 would be direct staff to take other action
18 consistent with the Board's direction.

19 --o0o--

20 MS. SHIMIZU: Staff recommendation is Option 1,
21 adopt the negative declaration and proposed regulations.

22 That concludes my presentation. Are there any
23 questions of staff?

24 CHAIRPERSON MARIN: There are no questions for
25 staff. But there's at least one speaker that wants to --

1 two speakers. First come, first serve, Scott Smithline
2 from Californians Against Waste.

3 MR. SMITHLINE: Good afternoon, Madam Chair,
4 Committee members. I'll be very brief.

5 We think these DRS regs will improve the
6 accountability in the state, but more importantly, the
7 quality of the diversion accounting information that we
8 get. And we support staff recommendation in this case.

9 Yes, this has been a long process. I reviewed
10 our records this morning and saw we have letters submitted
11 on this back dating to 2002. But this Board has held a
12 very inclusive process. You've been very accommodating.
13 There's been public workshops, Board meetings, Committee
14 meetings, and extensions of both formal and informal
15 comment period. So we think there has been more than
16 ample time for this regulatory package.

17 But more importantly, I think it will result in
18 tangible benefits to the state of California. We believe
19 that daily origin surveys will improve accuracy and
20 specificity of data over quarterly sampling. So we
21 support that. We also think the regs will provide
22 additional important information regarding the use of ADC
23 and beneficial reuse at facilities. It's not perfect.
24 The system isn't perfect. But 939 is about reducing the
25 waste of resources in the state of California. And DRS is

1 really at the heart of obtaining the data that allows us
2 to make that determination. So we support this package.

3 Thank you.

4 CHAIRPERSON MARIN: Thank you very much,
5 Mr. Smithline, for your comments.

6 And Mr. Evan Edgar. Saved the best for last.

7 MR. EDGAR: Evan Edgar, California Refuse Removal
8 Council. We support staff recommendations. This is
9 happening, 96 percent of the waste stream. We are
10 validating industry practice that we can do and will do.
11 And we thank you for your brave leadership to make this
12 happen. Thank you.

13 CHAIRPERSON MARIN: Thank you, Mr. Edgar.

14 I want to thank the people that are not here that
15 worked and came to agreement that, while imperfect, the
16 system will be an imperfect system with the daily
17 reporting. And I know that we would have had many other
18 people wanting to participate. They're not here. But
19 their work and their agreement is valued and appreciated.
20 And one chapter that is now closed.

21 So with that, unless anybody wants to say
22 anything, we move approval or adoption, rather, of the
23 Resolution, yes.

24 STAFF COUNSEL BLOCK: There's two Resolutions;
25 one for the CEQA and negative declaration, and one for the

1 regs.

2 CHAIRPERSON MARIN: Okay. Is there --

3 COMMITTEE MEMBER PEACE: I'd like to move

4 Resolution 2005-167 and 168.

5 COMMITTEE MEMBER WASHINGTON: Second.

6 CHAIRPERSON MARIN: Moved and seconded.

7 Call the roll, please.

8 EXECUTIVE ASSISTANT BAKULICH: Peace?

9 COMMITTEE MEMBER PEACE: Aye.

10 EXECUTIVE ASSISTANT BAKULICH: Washington?

11 COMMITTEE MEMBER WASHINGTON: Aye.

12 EXECUTIVE ASSISTANT BAKULICH: Marin?

13 CHAIRPERSON MARIN: Aye.

14 Thank you so very much. A lot of work, Pat,

15 Mike, everybody. I don't know how many hundreds of people

16 worked on this one. So thank you very much.

17 And with that, we'll see you at the Board

18 meeting.

19 (Thereupon the California Integrated Waste

20 Management Board, Sustainability and Market

21 Development Committee Adjourned at 12:35 p.m.)

22

23

24

25

1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 15th day June 2005.

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